

MAHARASHTRA LAND REVENUE (ALLUVION AND DILUVION RULES, 1967

CONTENTS

1. Short title
2. Duty of Talathi to ascertain and record increases or decreases due to alluvion and diluvion and report to Tahsildar
3. Holders of land with shifting boundaries may occupy upto such boundaries
4. Disposal of alluvial land
5. Decrease in assessment on land lost by diluvion

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In exercise of the powers conferred by clause (xi). (xiii) of subsection (2) of Section 320. read with Sections 32. 33. 65 and 66 of the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966), and in supersession of all previous rules made in this behalf and continued in force by virtue of the third proviso to Section 336 of the said Code, the Government of Maharashtra hereby makes the following Rules, the same having been previously published as required by sub-section (1). of Section 329 of the said Code, namely

1. Short title :-

These Rules may be called the Maharashtra Land Revenue (Alluvion and Diluvion) Rules, 1967.

2. Duty of Talathi to ascertain and record increases or decreases due to alluvion and diluvion and report to Tahsildar :-

(1) It shall be the duty of every Talathi to ascertain and report to the Tahsildar and record the increases due to alluvion and losses due to diluvion, in every holding subject to such changes.

(2) Where the area of any alluvial land or newly formed island, or of any abandoned river-bed, or of any land lost by diluvion exceeds the limits prescribed in Sections 33, 65 and 66, the Talathi shall also report such increases or decreases in the area of a holding to

the Tahsildar and act according to the orders passed by the Tahsildar in relation thereto.

3. Holders of land with shifting boundaries may occupy upto such boundaries :-

(1) When a holding is bounded on any side by the bank or shore of a river, creek or nala or of the sea, the holder may, subject to the provisions contained in Sections 32, 33, 65, 66 occupy and use the land up to such bank or shore, notwithstanding that its position may shift from time to time.

4. Disposal of alluvial land :-

(1) When alluvial land formed on any bank or shore exceeds one acre, it shall be disposed off by the Collector in the manner provided in sub-section 32

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(2) If the occupant of the bank or shore does not accept the offer made by the Collector, and the alluvial land is not required for any public purpose or Government purpose, it may be disposed off by public auction to the highest bidder.

5. Decrease in assessment on land lost by diluvion :-

(1) If any portion of land in a survey number not being less than half an acre in extent, is lost by diluvion. the holder thereof shall be entitled to the proportionate decrease in the assessment. It shall be the duty of the Collector to determine the amount of assessment to be so decreased having regard to the total area of the survey number, its assessment and the area lost by diluvion.

(2) On re-appearance of the land lost by diluvion in respect of which the assessment is decreased under sub-rule (1). the holder shall be liable, if the area on reappearance exceeds half an acre, in extent to pay such proportionate assessment as may be similarly determined by the Collector.