

MAHARASHTRA LAND REVENUE (REVENUE TRIBUNAL) RULES, 1967

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MAHARASHTRA LAND REVENUE (REVENUE TRIBUNAL) RULES, 1967

In exercise of the powers conferred by Section 325 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 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 (3) of Section 329 of the said Code, namely

1. Short title :-

These Rules may be called the Maharashtra Land Revenue (Revenue Tribunal) Rules, 1967.

2. Definitions :-

In these Rules unless the context requires otherwise -

(a) "Code" means the Maharashtra Land Revenue Code, 1966.

(b) "equivalent officer" means, in relation to an office specified in any rule, such officer as is, in the opinion of the State Government, equal in rank to the office so specified:

(c) "member" means a member of the Tribunal.

3. Qualifications of President and Members of Tribunal :-

(1) The President shall be a person -

- (i) who is or has been a judge of a High Court, or
- (ii) who is an advocate qualified to be a Judge of High Court, or
- (iii) who has for a period of not less than five years held the office, or as the case may be, exercised the powers, of-
 - (a) the Secretary to the Government of Maharashtra Law and Judiciary Department and the Remembrancer of Legal Affairs.
 - (b) the Principal Judge of the City Civil Court, Bombay.
 - (c) a District Judge,
 - (d) the Chief Judge, Court of Small Causes of Bombay,
 - (e) a member of the Industrial Court constituted under the Bombay Industrial Relations Act, 1946,
 - (f) a member of the Industrial Tribunal constituted under the Industrial Disputes Act, 1947, or
 - (g) a member of the Maharashtra Revenue Tribunal constituted under the Bombay Revenue Tribunal Act, 1939, or the Bombay Revenue Tribunal Act, 1958, or the Maharashtra Land Revenue Code, 1966.

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[(h) the Secretary, Maharashtra Legislature Secretariate and who being an Advocate has practised for less than seven years in any Civil Court, and is in the opinion of the State Government well-versed in revenue and tenancy laws],

(2) A member shall be a person -

(a) who is holding or has held an office not lower in rank than of-

- (i) a Collector,
- (ii) a District Judge,
- (iii) an Assistant Judge, or a Civil Judge (Senior Division), appointed under the Bombay Civil Courts Act, 1869, or a Civil Judge holding an equivalent office under any other law for the time being in force; or
- (b) who is an advocate or attorney of the High Court, or a legal practitioner entitled to practise before Courts other than the High Court under any law relating to legal practitioners for the time

being in force in this State, has practised for not less than five years in any Civil Courts or before the Tribunal, and is in the opinion of the State Government well versed in revenue and tenancy laws.

1. No. MRT. 1067-M-(Spl.), 30-3-1971, M.G.G., Pt IV-B, 15-4-1971, p. 495.

4. Period of Office and Terms and Conditions of Service of President and Members of Tribunal :-

(1) The President and the non-official members shall hold office for such period not exceeding three years as may be specified by the State Government.

(2) A person who has held office as a President or a member for the period mentioned in the sub-rule (1) shall be eligible for re-appointment.

(3) No person appointed -

(a) as the President shall hold office after attaining the age of 70 years:

(b) as non-official member shall hold office after attaining the age of 65 years-

Provided that the State Government may, in suitable cases for reasons to be recorded in writing, extend the age limit by a further period not exceeding one year.

(4) The President or any non-official member may at any time by writing under his hand addressed to the State Government resign his office and his resignation shall take effect from the date on which it is accepted.

(5) Notwithstanding anything contained in sub-rule (1), the State Government may terminate at any time appointment of the President or any non-official member, if, in its opinion, such President or member is unable or unfit to continue to perform the duties of his office.

5. Qualification of Registrar and Deputy Registrar :-

(1) The Registrar shall- be an officer not below the rank of an Assistant or a Deputy Collector or not below the rank of a holder of an equivalent office:

Provided that, the State Government may appoint an officer not below the rank of Tahsildar or not below the rank of a holder of an equivalent office, to act as Registrar for such period as it may consider necessary.

(2) The Deputy Registrar shall be an officer, not below the rank of a Tahsildar or not below the rank of a holder of an equivalent office.

6. Notice about Tribunals sitting outside Greater Bombay, Pune, Aurangabad and Nagpur :-

Sufficient notice about the sitting of Tribunal outside Greater Bombay , Pune, Aurangabad and Nagpur shall be given by publication on the notice board of the Tribunal and in such other manner as may be laid down in the regulations made by the President under Section 319 of the Code.

7. Notice of date of Hearing :-

The Registrar or the Deputy Registrar shall arrange for the sittings of the Tribunal for hearing the appeals and applications for revision and publish the date fixed for the hearing thereof on the notice board of the Tribunal sufficiently in advance.