

MAHARASHTRA LAND REVENUE (VILLAGE, TOWN AND CITY SURVEY) RULES, 1969

CONTENTS

1. Short title
2. Definitions
3. Collector to issue notice of survey
4. Survey officer and his staff
5. Survey operations
6. Procedure for enquiry
7. Property Card
8. Survey fees
9. Contribution to be paid by village panchayats for preparation of map
10. Fee for supply of duplicate copy of sanad

MAHARASHTRA LAND REVENUE (VILLAGE, TOWN AND CITY SURVEY) RULES, 1969

R and F.D. No. UNF 2067-R (26-7-1969) - In exercise of the powers conferred by clauses (xl), (xli), (xlii) and (xliii) of sub-section (2) of Section 328 of the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966), and of all other powers enabling it in that behalf and in supersession of all previous rules made in this behalf and continued in force by virtue of 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 ¹ (Village Town And City Survey) Rules, 1969.

1. UNF. 2067, R. 28-12-1970; M.G., Pt. IV-B, 14-1-1971, p. 80.

2. Definitions :-

In these rules, unless the context otherwise requires , -

- (a) "Code" means the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966);

(b) "District Inspector" means the District Inspector of Land Records;

(c) "Form" means a form appended to these rules;

(d) "Section" means a Section of the Code;

(e) "Superintendent" means the Superintendent of Land Records.

3. Collector to issue notice of survey :-

Where a survey of lands in any village, town or city as directed to be made by the State Government under Section 126, the Collector shall cause to be issued in Form 'A' a general notice to the inhabitants of such village, town or city informing them about the introduction of the survey and calling upon the house owners, mortgagor, mortgagees, absentee owners and other persons having interest in the lands to be surveyed to give all information to the survey officers appointed for the purpose and to ensure that their lands are measured and rights recorded correctly.

4. Survey officer and his staff :-

Subject to the control of the Superintendent or such other officer as may be designated by the State Government in this behalf, a survey officer not below the rank of a District Inspector shall be in charge of survey operations. In conducting the survey operations, the survey officer shall be assisted for such staff of the Land Records Department as the Superintendent or, as the case may be, such other may appoint.

5. Survey operations :-

Operations connected with any survey shall be carried out by the staff referred to in Rule 4 as provided in that rule in such manner as the Director of Land Records may from time to time direct. The operations so carried out shall be recorded in maps drawn to a scale as may from time to time be laid down by the Director of Land Records. The staff shall also record information in respect of particulars of the property and names of the holders thereof and enter it in columns 1 to 4 of the inquiry register in Form 'B'. The maps and the register so prepared shall then be forwarded for the purposes of Rule 6 to the Inquiry Officer shall be a Survey Officer not below the rank of a District Inspector of Land Records or a Tahsildar appointed by the State Government or as the case may be, the Director of Land Records.

6. Procedure for enquiry :-

(1) It shall be the duty of Inquiry Officer to determine for each parcel of land situated within the limits of the area under survey who is entitled to be confirmed in possession of each such parcel of land, what possession constitute encroachments, easements or licences and what land vest in local authority or Government and in case of land adjudged to be in the legitimate possession of a private individual or body, its tenure and liability to pay land revenue.

(2) For purposes of determining the right, title and interest of individuals and bodies in respect of lands under survey under sub-rule (1). the Inquiry Officer shall hold an enquiry under Section 20 of the Code or. as the case may be, Section 91E of the Bombay Municipal Corporation Act, 1948, Section 69 of the City of Nagpur Municipal Corporation Act, 1948, Section 80 of the Bombay Provincial Municipal Corporation Act. 1959, Section 59 of the Bombay Village Panchayats Act, 1958 or Section 89 of the Maharashtra Municipalities Act, 1965. The maps and registers referred to in Rule 5 shall be corrected in accordance with the decision of the Inquiry officer or, where an appeal is filed or a civil suit instituted in accordance with the final order passed in appeal or civil suit.

(3) The Inquiry Officer shall send a list of unoccupied vacant plots of waste land which are not claimed by any person to the Collector. The Collector shall, on receipt of such list, cause a public notice in Form 'C' to be affixed on each such plot requiring any person desiring to claim any interest in plots to appear before the Inquiry Officer with the period specified in the notice with documentary evidence of title to the plot. If any claim is made in relation to such plot, the Inquiry Officer shall proceed to determine it in accordance with sub-rule (2). If no claim is made within the period aforesaid, the plot shall be entered as land vesting in the State Government.

7. Property Card :-

2The final results of the enquiry shall be recorded for each parcel of land separately in a card in Form 'D' to be called the "Property Card"¹

1. UNF. 2067-R, 5-11-1971; M.G.G. Pt. IV-B, 18-11-1971, p. 1785

8. Survey fees :-

(1) The survey fees payable under Section 127 shall ordinarily be so fixed by the Collector that the total sum payable in respect of

the site under survey shall cover the cost of the survey and preparation of the Property Card ¹ thereof.

1. UNF. 2067-R, 5-11-1971; M.G.G. Pt. IV-B, 18-11-1971, p. 1785

9. Contribution to be paid by village panchayats for preparation of map :-

The contribution to be charged to village panchayat under sub-section (2) of Section 128 towards the cost of preparation of a map of a village site showing the plots occupied by the holders shall be not less than sixty per cent of the total cost of preparation of such map: ¹

[Provided that where a map required by a village panchayat has already been prepared at the time of conducting survey under Section 126, a copy of such map may be supplied to the panchayat on payment of copying fees prescribed under Section 327]

1. UNF. 2067-R, 5-11-1971; M.G.G. Pt. IV-B, 18-11-1971, p. 1785

10. Fee for supply of duplicate copy of sanad :-

¹ . If any person applies for a copy of the sanad under Section 131, a copy thereof marked 'Duplicate' in red ink, may be given to him on payment of a fee of rupee one.

1. UNF. 2067-R, 5-11-1971; M.G.G. Pt. IV-B, 18-11-1971, p. 1785