
**Maharashtra Land Revenue Code (Second Amendment) Act,
2007**

23 of 2007

[06 August 2007]

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PREAMBLE

An Act further to amend the Maharashtra Land Revenue Code, 1966.

WHEREAS, it is expedient further to amend the Maharashtra Land Revenue Code, 1966, for the purposes hereinafter appearing; it is hereby enacted in the Fifty-eighth Year of the Republic of India as follows:-

1. Short Title And Commencement :-

(1) This Act may be called the Maharashtra Land Revenue Code (Second Amendment) Act, 2007

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

2. Amendment Of Section 99 Of Mah. Xli Of 1966 :-

In section 99 of the Maharashtra Land Revenue Code, 1966 (hereinafter referred to as "the said Code"),-

(a) for the words "for reference to the concerned Divisional Commissioner" the words "for reference to the Maharashtra Revenue Tribunal" shall substituted;

(b) for the words "the Divisional Commissioner" the words "the Revenue Tribunal" shall be substituted;

(c) for the words "the Divisional Commissioner" the words "the Revenue Tribunal" shall be substituted;

(d) in the marginal note, for the words "Divisional Commissioner" the words "Revenue Tribunal" shall be substituted.

3. Amendment Of Section 100 Of Mah. Xli Of 1966 :-

In section 100 of the said Code,-

(a) in sub-section (1), for the words "the Divisional Commissioner" the words "the Revenue Tribunal" shall be substituted;

(b) in sub-section (2), for the words "the Divisional Commissioner" the words "the Revenue Tribunal" shall be substituted.

4. Insertion Of Section 245 In Mah. Xli Of 1966 :-

After section 244 of the said Code, the following section shall be inserted, namely:-

"245. Saving.- Nothing contained in this chapter shall apply to any proceeding before the Maharashtra Revenue Tribunal under Chapter XV."

5. Insertion Of Section 246 In Mah. Xli Of 1966 :-

In Chapter XIII of the said Code, below the heading "APPEALS, REVISION AND REVIEW", the following section shall be inserted, namely:-

"246. Application of this Chapter.- The provisions of this Chapter shall not apply to proceeding before the Maharashtra Revenue Tribunal under Chapter XV."

6. Amendment Of Section 271 Of Mah. Xli Of 1966 :-

In section 271 of the said Code, after the words "the Commissioner," the words "or as the case may be, the Maharashtra Revenue Tribunal" shall be inserted.

7. Amendment Of Section 272 Of Mah. Xli Of 1966 :-

In section 272 of the said Code,-

(a) for the words "before the Commissioner" the words "before the Commissioner, or as the case may be, the Maharashtra Revenue Tribunal" shall be substituted;

(b) after the words "to the Collector, the Commissioner," the words "or as the case may be, the Maharashtra Revenue Tribunal" shall be substituted.

(c) for the words "of the Commissioner" the words "of the Commissioner or of the Maharashtra Revenue Tribunal" shall be substituted.

8. Amendment Of Section 274 Of Mah. Xli Of 1966 :-

In section 274 of the said Code,--

(a) for the words "the concerned Divisional Commissioner" the words "the Maharashtra Revenue Tribunal" shall be substituted;

(b) in the marginal note, for words "concerned Divisional Commissioner" the words "Maharashtra Revenue Tribunal" shall be substituted.

9. Amendment Of Section 275 Of Mah. Xli Of 1966 :-

In section 275 of the said Code, for the words "the Divisional Commissioner" the words "the Maharashtra Revenue Tribunal" shall be substituted.

10. Insertion Of Chapter Xv In Mah. Xii Of 1966 :-

After Chapter XIV of the said Code, the following Chapter shall be inserted, namely:-

"CHAPTER XV

MAHARASHTRA REVENUE TRIBUNAL

308. Definitions.-

In this Chapter, unless the context requires otherwise,--

(a) "President" means the President of the Tribunal;

(b) "Tribunal" means the Maharashtra Revenue Tribunal constituted under section 309.

309. Maharashtra Revenue Tribunal.-

(1) There shall be established for the State of Maharashtra, a Tribunal, to be called the Maharashtra Revenue Tribunal.

(2) The Tribunal shall consist of the President and such number of

other members as the State Government may, by notification in the Official Gazette, appoint.

310. President and members.-

The qualifications (including age) of the President and other members constituting the Tribunal, the period for which they shall hold office, and their conditions of service, shall be such as may be prescribed.

311. Vacancy and temporary absence.-

(1) If any vacancy occurs by reason of the death, resignation or expiry of the appointment, or termination of the appointment, of the President or other members or for any other cause whatsoever, such vacancy shall be filled by appointment of a duly qualified person.

(2) If any member of the Tribunal becomes, by reason of illness or other infirmity, temporarily incapable of performing the duties of his office, the State Government may appoint some other person to discharge his duties for any period not exceeding six months at one time and the person so appointed shall during that period have the same powers as the person in whose place he is appointed.

(3) If the office of the President falls vacant in circumstances specified in sub-section (1), the senior most member shall act as a President appointment of a President by the State Government.