
MAHARSHTRA LAND REVENUE (REVENUE SURVES AND SUB-DIVISION OF SURVEY NUMBER) RULES, 1969

CONTENTS

1. Short title
2. Definitions
3. Survey number and sub-divisions
4. Record of measurements
5. Test of measurements
6. Village maps
7. Classification of land
8. Field-books
9. Notice to holders
10. Test of classification
11. Amalgamation of survey numbers and sub-divisions
12. Application for Rules 3 to 11
13. Non-agricultural land not to be classified in accordance with foregoing rules
14. Maintenance of Records
15. Sub-division of survey numbers
16. Boundaries to be laid down
17. Fees
18. Assessment
19. Formation of sub- division of alluvial land
20. Survey numbers in amalgamated villaged
21. Survey number in new villages
22. Entry of survey numbers and subdivision in records

MAHARSHTRA LAND REVENUE (REVENUE SURVES AND SUB-DIVISION OF SURVEY NUMBER) RULES, 1969

In exercise of the powers conferred by clause (xxix) and (lxiii) 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 this behalf and in supersession of all previous rules made in this behalf and continued in force by virtue of third proviso to Section 36 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 (Revenue Surveys And Sub-Division Of Survey Number) Rules, 1969.

2. Definitions :-

In these rules, unless the context requires otherwise ,-

- (a) "Code" means the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966);
- (b) "Director" means the Director of Land Records;
- (c) "Section" means a Section of the Code;
- (d) "Superintendent" means the Superintendent of Land Records.

3. Survey number and sub-divisions :-

(1) Every holding not less in area than the minimum fixed under Section 32 shall be separately measured, classified, assessed and defined by boundary marks, in the land records as a survey number.

(2) Every holding of which the area is less than such minimum shall be separately measured, classified and assessed and entered in the land records as a sub-division of the survey number in which it is directed to be included; it may also be separately demarcated if the Director so directs, provided that, the Director may require the persons interested in such holding to pre-pay the costs or such portion of the costs as he thinks fit, of so demarcating holding.

4. Record of measurements :-

All measurements shall be recorded in a book or embodied in plane table map kept in such form as shall be preserved by the Director of any survey. The said books or maps shall be prescribed permanently as a record of the survey.

5. Test of measurements :-

The original measurements made by the subordinate survey officers employed for the purpose shall be tested by the officers in charge of measuring establishments in such manner and to such extent as the Director shall deem sufficient.

6. Village maps :-

Village maps shall be prepared under the orders of the Director showing each survey number and its boundary marks and such other details as may be specified by him, subject to general or special orders of the State Government at the time of each survey.

7. Classification of land :-

For the purposes of assessment, all land shall be classified with respect to its productive qualities. The number of classes and their relative value reckoned in annas, in the areas where classification is done in the rupee scale, and reckoned in terms of soil units in the areas where classification is done in the factor scale shall be fixed under the orders of the Director with reference to the circumstances of the different tracts of the country to which the survey extends and to the nature of the cultivation. ¹

1. Deleted by G.N. of 25-11-1970.

8. Field-books :-

Every classes shall keep a field-book and record therein the particulars of his classification of each survey number and sub-division and the reasons which led him to place in the particular class to which in his estimation it should be deemed to belong. Such field-books shall be preserved as permanent records of the survey:

Provided that ,-

(a) in the areas in which factor scale prevails, the classification shall be recorded in the Fard-Zamin or in such other form and in such other manner as may be directed by the Director; and

1

(b) while determining or revising assessment, favourable situation for receiving manure, or factors, such as, remoteness from village of proximity to a forest, or susceptibility to flood shall be taken into consideration, if they are not included in the factor scale.

1. Substituted by G. N. of 25-11-1970.

9. Notice to holders :-

When any classing operations are undertaken, notice shall be given to the holders to enable them to represent defects and point out their own improvements.

10. Test of classification :-

A test of the original classification made by the subordinate officers employed for this purpose shall be taken by the officers in charge of classing establishments in such manner and to such extent as may be directed by the Director.

11. Amalgamation of survey numbers and sub-divisions :-

(1) Any survey number or a sub-division of a survey number may, upon the application of the holder, be amalgamated with any other co-terminus survey number with the sanction of the Superintendent, provided that, the following conditions are satisfied, namely -

(i) the total area of amalgamation does not exceed ¹[12.1406 hectares] or where one of the survey numbers or sub-divisions, as the case may be, to be amalgamated is less than ¹[2.0234 hectares] in area ¹ [16.1874 hectares]

(ii) all the parcels of land proposed for amalgamation are held by the same holder upon the same tenure:

(iii) a common boundary is such that the amalgamation will materially facilitate cultivation:

Provided that, the limits imposed by or under condition (i) may be exceeded to such extent as the Director may by general or special order, sanction.

(2) Any sub-division may be amalgamated without prior sanction of the Superintendent with any co-terminus sub-division of the same survey number held by the same holder upon the same tenure.

(3) When such amalgamation is effected, the two or more portions of land shall become one entry in the land records, bearing the same distinguishing number as the first in series of the amalgamated numbers. Any boundary marks placed before such amalgamation shall be removed, and the village map corrected, accordingly.

1. Substituted by G.N. of 25-11-1970.

12. Application for Rules 3 to 11 :-

(1) Rules 3 to 11 (both inclusive) shall, unless otherwise directed by the State Government, be observed in the conduct of revenue surveys of lands used or which may be used, for the purposes of agriculture.

(2) Matters of detail not provided for in the foregoing rules shall be determined in each surveys in accordance with such general or special orders as the Director, acting under the special control of the State Government may from time to time, issue.

13. Non-agricultural land not to be classified in accordance

with foregoing rules :-

(1) Land of any of the kinds specified in sub-rule (2) shall be measured and mapped in accordance with Rules 3 to 6 (both inclusive) but shall not be classified in accordance with Rules 7 to 10.

(2) The lands referred to in sub-rule (1) are the following:-

(a) occupied lands, which are situated within an area in which a survey under Rules 3 to 6 and 11 is in progress and which are used for any non-agricultural purpose;

(b) unoccupied lands, situated within any such area, which are deemed to be likely to be more in demand for building or industrial purposes than for agricultural; and

(c) all lands to which a survey is extended under Section ¹ [126]

1. Substituted by G. N. of 25-11 -1970.

14. Maintenance of Records :-

(1) For all the lands which have in the past been surveyed or assessed or which shall be hereafter surveyed or settled under the provisions of the Code and these rules, it shall be the duty of the Director-

(a) to cause to be corrected any arithmetical or clerical error, whenever discovered;

(b) to cause to be incorporated punctually in the land records all changes in boundaries, areas, tenures and assessments either of survey numbers or of their sub-divisions which are made under orders of any competent authority under the Code and these rules or by any other law:

¹ [Provided that, when, after the settlement is deemed to have been introduced under Section 105, land revenue is levied under such settlement, such land revenue shall not be increased upon the discovery of any mistake in classification, until the term of such settlement expires.]

(2) Detailed instructions and forms shall be drawn up and maintained by the Director, subject to the orders and approval of the State Government from time to time for proper carrying out of this rule.

1. Substituted by G.N. of 25-11-1970.

15. Sub-division of survey numbers :-

(1) Before field operations for division of a survey number into a sub-division are commenced a general notice shall be issued by the 7[officer-in-charge of survey] and pasted in the village chavdi and proclaimed by beat of drum stating that the sub-divisions of survey numbers in the village are about to be measured according as they have been divided by the holders.

(2) Individual notice shall be served by Talathi upon the holders specifying the numbers or parts of numbers which are to be measured and the date on which measurements operations would commence and warning the holders to be present on the field on the date so notified.

16. Boundaries to be laid down :-

(1) When there is no dispute, the survey officer shall, after recording to that effect, lay down the boundary of each sub-division according to the statement made by the holders.

(2) Where there is any dispute, the boundary to which it relates shall be measured and mapped in accordance with the claims of both the disputants, and the dispute entered in the register of disputed cases. After the dispute has been settled under the provisions of the Code and rules made thereunder, the map shall be corrected accordingly, and the area finally entered into the land records.

17. Fees :-

The fees to be recovered for making sub-divisions in cases to which clause (b) of Section 153 applies shall, unless the State Government in any case otherwise directs, be such as will cover the entire cost of measuring, assessing and mapping the sub-divisions; and such fees shall be assessed by the Superintendent.

18. Assessment :-

The proportionate assessment of sub-divisions to the land revenue settled upon the survey number shall be calculated subject to the proviso to clause (b) of sub-section (1) of Section 87 according to the area and relative soil classification of the various sub-divisions. Detailed instructions shall be prescribed by the Director, subject to the approval of the State Government, and may provide for the rounding off of fractions of ten paise:

Provided that, in the districts of Nagpur, Chanda, Wardha and Bhandara and the Melghat taluka of the Amravati district where the soil classification is based on the factor scale, the proportionate assessment of sub-divisions to the land revenue settled upon the survey number may be calculated in proportion to the area of the sub-division by the rule of three.

19. Formation of sub- division of alluvial land :-

Alluvial land lawfully occupied by a person other than the holder of the adjoining land shall be formed into a sub-division and included in the adjoining survey number.

20. Survey numbers in amalgamated villaged :-

On amalgamation of villages under the provision of Section 4, the survey numbers of the largest inhabited village shall be retained, and those of the other villages renumbered starting from the number, the next to that last number of the largest inhabited village, the cancelled numbers being shown in brackets below the new numbers.

21. Survey number in new villages :-

On the division of a village into two or more villages under the provisions of Section 4, the survey numbers of the newly formed villages shall be renumbered, starting from No. 1 in each case, the cancelled numbers being shown in brackets below the numbers.

22. Entry of survey numbers and subdivision in records :-

The area and assessment of lands surveyed and assessed to land revenue under the provision of Section 68 and of Chapters V. VI and VII of the Code, shall be recorded and maintained -

(a) in the case of survey numbers, in Form 'A' if the land is used for an agricultural purpose, and in Form 'B' if it is used for a purpose other than agriculture, and

(b) in the case of sub-division of survey numbers in Form "C" if the land is situated within the limits of the districts of Thane, Kolaba and Ratnagiri, and in Form 'D' if the land is situated within the limits of any other district of the State.