



The Maharashtra Tenancy Laws and Maharashtra Land Revenue Code  
(Amendment and Validation of Appointments of Certain Officers and  
Proceedings) Act, 1981

Act 5 of 1982

Keyword(s):

Tenancy Laws, Land Revenue, Land Holder, Appointment of Officers,  
Proceedings

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**MAHARASHTRA ACT NO. V OF 1982<sup>1</sup>**

[THE MAHARASHTRA TENANCY LAWS AND MAHARASHTRA LAND REVENUE CODE  
(AMENDMENT AND VALIDATION OF APPOINTMENTS OF CERTAIN OFFICERS  
AND PROCEEDINGS) ACT, 1981.]

(This Act received assent of the President on 1st February 1982; assent was first published in the *Maharashtra Government Gazette*, Part IV, Extraordinary, on 5th February 1982.)

**An Act further to amend the Bombay Tenancy and Agricultural Lands Act, 1948, the Hyderabad Tenancy and Agricultural Lands Act, 1950, the Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act, 1958 and the Maharashtra Land Revenue Code, 1966, and to establish the validity of the appointments of certain officers to exercise powers of the Tribunal or the Collector and of their proceedings under the Hyderabad Tenancy and Agricultural Lands Act, 1950, or as the case may be, the Maharashtra Land Revenue Code, 1966.**

Bom. LXVII of 1948.      WHEREAS it is expedient further to amend the Bombay Tenancy and  
Hyd. XXI of 1950.      Agricultural Lands Act, 1948, the Hyderabad Tenancy and Agricultural Lands  
Act, 1950, The Bombay Tenancy and Agricultural Lands (Vidarbha Region)  
Bom. XCIX of 1958.      Act, 1958 and the Maharashtra Land Revenue Code, 1966, for the purposes  
Mah. XLI of 1966.      hereinafter appearing; and to establish the validity of the appointments of  
certain officers to exercise powers of the Tribunal or the Collector and of their  
proceedings, orders, sanctions, certificates, declarations and other actions con-  
Hyd. XXI of 1950.      ducted, passed, given, issued, made or taken by those officers in the exercise  
Mah. XLI of 1966.      or purported exercise of powers under the Hyderabad Tenancy and Agricultural  
Lands Act, 1950, or as the case may be, the Maharashtra Land Revenue Code,  
1966; It is hereby enacted in the Thirty-Second Year of the Republic of India  
as follows :—

1. This Act may be called the Maharashtra Tenancy, Lands and Maharashtra Short Land Revenue Code (Amendment and Validation of Appointments of certain Officers and Proceedings) Act, 1981.

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<sup>1</sup>For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, 1981, Part V, dated 10th December 1981, at p. 649.

*Maharashtra Tenancy Laws and Maharashtra [1982 : Mah. V  
Land Revenue (Amendment and Validation of  
Appointments of certain Officers and Proceedings)  
Act, 1981*

Amendment  
of section 13.  
of Bom.  
LXVII of  
1948.

2. (*Amendment has been incorporated in the Principal Act*).

Amendment  
of section 43  
of Bom.  
XVII of  
1948.

3. (*Amendment has been incorporated in the Principal Act*).

Amendment  
of section 18  
of Hyd. XXI  
of 1950.

4. In section 18 of the Hyderabad Tenancy and Agricultural Lands Act, 1950, as re-enacted, validated and amended by Maharashtra Act XLV of 1961 (hereinafter referred to as "the Hyderabad Tenancy Act"), in sub-section (1), after the words "the land-holder shall", at both the places where they occur, the words, "unless the State Government by any general or special order otherwise directs." shall be inserted.

Hyd.  
XXI  
of  
1950.

Amendment  
of section  
50B of Hyd.  
XXI of 1950.

5. (1) In section 50B of the Hyderabad Tenancy Act,—

(a) in sub-section (1), the words "or partitioned" shall be, and shall be deemed always to have been, deleted;

(b) in sub-section (2), the words "or partition" shall be, and shall be deemed always to have been, deleted.

(2) Notwithstanding the amendment of section 50B of the Hyderabad Tenancy Act made by sub-section (1) of this section, where any orders have been made, by the Collector or any officer exercising the powers of the Collector under the said section 50B, declaring partition of any land as invalid and the person concerned has been evicted by the Collector or such officer from such land, before the commencement of this Act, then such orders shall not be affected by the amendment aforesaid, but shall continue to be in operation as before.

6. Notwithstanding anything contained in section 87 or in any other provisions of the Hyderabad Tenancy Act, and notwithstanding any judgment, decree or order of any Court or Tribunal, the Naib-Tahsildars, who, during any period or periods before the commencement of this Act, exercised the powers and performed the duties conferred and imposed on an 'Agricultural Lands Tribunal by or under the said Act, in any of the areas formerly forming part of a Mahal and which now stand included in the talukas of—

Validation of appointment of Naib-Tahsildars as Tribunals under section 87 of Hyd. XXI of 1950 and of their proceedings.

- (a) Khuldabad and Soegaon talukas of Aurangabad District ;
- (b) Jafrabad taluka of Jalna District ;
- (c) Patoda taluka of Beed District ;
- (d) Mukhed and Bhokar talukas of Nanded District ;
- (e) Bhoom taluka of Osmanabad District,

shall be deemed to have been validly appointed and authorised by the State Government to exercise the powers and perform the duties of the Tribunal during the said periods ; and, accordingly, any proceedings conducted, orders passed, sanctions given, certificates issued, declarations made or other action taken by any of the said Naib-Tahsildars during the said periods, in exercise of the powers and performance of the duties or in the purported exercise of the powers and performance of the duties conferred or imposed by or under the said Act on the Tribunal, shall be deemed to have been validly and effectively conducted, passed, given, issued, made or taken, as the case may be, as if he had been duly appointed and authorised for such purposes, and shall not be called in question in any proceedings before any Court or Tribunal merely on the ground that he was not duly appointed or authorised or that he had no jurisdiction.

7. *(Amendment has been incorporated in the Principal Act).*

Amendment of section 18 of Bom. XCIX of 1958.

8. *(Amendment has been incorporated in the Principal Act).*

Amendment of section 57 of Bom. XCIX of 1958.

Amendment  
of section 13  
of Mah. XLI  
of 1966.

9. *(Amendment has been incorporated in the Principal Act).*

Validation of  
delegation of  
powers of  
Collector  
to Additional  
Tahsildars  
under section  
13 of Mah.  
XLI of 1966  
and of their  
proceedings.

10. Notwithstanding anything contained in section 13 or in any other provisions of the Land Revenue Code, and notwithstanding any judgment, decree or order of any Court or Tribunal, the Additional Tahsildars, who, during any period or periods before the commencement of this Act, exercised any powers of the Collector under sub-section (3) of section 36 or any other provisions of the said Code, delegated to them by the Collector under the proviso to sub-section (1) of the said section 13, shall be deemed to have been validly delegated to them by the Collector during the said periods; and, accordingly, any proceedings conducted, orders passed, sanctions given, certificates issued, declarations made or other action taken by any of the said Additional Tahsildars during the said periods, in the exercise of the powers of the Collector or in the purported exercise of the powers of the Collector, shall be deemed to have been validly and effectively conducted, passed, given, issued, made or taken, as the case may be, as if the powers had been duly delegated to them for such purposes, and shall not be called in question in any proceedings before any Court or Tribunal merely on the ground that the powers were not duly delegated to them or that they had no jurisdiction.