

279
Lands .

Permission under section 65
Bombay Land Revenue Code in
respect of - proposed to be
acquired.

211
GOVERNMENT OF MAHARASHTRA ,
Revenue and Forests Department,
Circular No. LNA.1063/137865-C,
Sachivalaya, Bombay-32, 20th November, 1965.

C I R C U L A R .

In Government Circular ,Revenue Department No.LNA. 1057/133292-AI , dated 20th October, 1957 instructions were issued that whenever an application under section 65 Bombay Land Revenue Code is received, the Collectors and Prant Officers should first ascertain from the Land Acquisition Officer concerned whether the lands are under acquisition or are likely to be acquired and , if so , to refuse the permission applied for. A question has been raised as to what lands should be treated as 'likely to be acquired ' and it has been suggested that only lands in respect of which notification under section 4 of the Land Acquisition Act has been issued should be treated as lands likely to be acquired.

2. The intention in issuing the aforesaid instruction is to prevent calculative landowners who sense the possibility of acquisition of their lands and apply for permission to convert the lands for non-agricultural use (long before the stage for issue of notification under section 4 of the Land Acquisition Act is reached) and thus try to enhance artificially the potential value of their lands. Once the notification under section under section 4 is issued the owner would get as compensation the market value of the land as it stood on the date of the notification and even if he puts the land to non-agricultural use thereafter he would not get any enhanced value for the land. Hence it is necessary to prohibit non-agricultural uses even before the issue of notification under section 4 of the Land Acquisition Act. It is , therefore, clarified that existance of circumstances justifying the inference that the land is likely to be acquired for a public purpose or for a company , in the near future such as receipt of a proposal for acquisition, should be treated as an adequate ground for rejecting the request for non-agricultural permission.

By order and in the name of the Governor of Maharashtra,

(S.G. SAWANT).

Under Secretary to the Government of Maharashtra,
Revenue and Forests Department.

To

All Commissioner of Divisions,
All Collectors (including the Collector of Bombay) ,
The Settlement Commissioner and Director of Land Records, Poona,
All Prant Officers & Special Land Acquisition Officers ,
The H & Q Branches of Revenue & Forests Department.