

Land Acquisition Act, 1894
Execution of agreements by Zilla
Parishads under....

GOVERNMENT OF MAHARASHTRA.
Revenue Department, Circular No. LQN-1662/70082-H
Sachivalaya, Bombay, 7th February 1964.

CIRCULAR OF GOVERNMENT:- A model form of agreement to be adopted whenever land is acquired on behalf of District Local Boards and Village Panchayats has been prescribed in paragraph 80(4) of the Land Acquisition Manual. The form in so far as it pertains to a District Local Board will require material changes in view of the provisions of section 116 of the Zilla Parishads and Panchayat Samitis Act, 1961 by which a Chief Executive Officer is empowered to execute an agreement on behalf of Zilla Parishads. The provisions of section 42(2) of the Bombay Local Boards Act, 1923 are similar to the provisions of section 116(2) of the Zilla Parishads and the Panchayats Samitis Act, 1961 (Maharashtra Act V of 1962) with the exception that the latter section does not require that the agreement be signed by two members of the Local Board. Since the Act of 1923 is repealed, provisions of section 116(2) of Maharashtra Act V 1962 would apply. In view of this position, the *accompanying *form of agreement should be adopted whenever land is acquired on behalf of Zilla Parishads.

2. The Settlement Commissioner and Director of Land Records should issue necessary correction slip to the Manual of Land Acquisition in due course.

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

R.T. NADKARNI,
Under Secretary to Government.

* Printed as accompaniments to this circular.

No. L.R. 872

Poona 17th March-1964.

Copy forwarded for information and guidance to the Dy. D.L.R. Nagpur/All S.L.Rs. & C.Os. with spare copies for subordinate offices.

[Signature]
for Settlement Commissioner and
Director of Land Records, M.S. Poona.

ACCOMPANIMENT TO GOVERNMENT CIRCULAR, REVENUE DEPARTMENT NO.
LQN-1662/70082-H, DATED 7TH FEBRUARY 1964

FORM OF AGREEMENT TO BE ADOPTED WHEN LAND IS ACQUIRED ON
BEHALF OF ZILLA PARISHAD.

A G R E E M E N T.

AN AGREEMENT made the _____ day of _____ One thousand nine hundred and _____

BETWEEN _____

Zilla Parishad constituted under the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (hereinafter referred to as "the Parishad" which expression shall unless the context does not so admit include its successors and assigns) of the first Part, Shri _____
Chief Executive Officer _____

(2)

parishad(hereinafter called "The Executive Officer" which expression shall unless the context does not so admit include the said _____ and his successor for the time being holding the office of Chief Executive Officer of the said Parishad) of the second part and the Governor of Maharashtra(hereinafter referred to as "The Government" which expression shall unless the context does not so admit include his successors and assigns) of the third part.

WHEREAS the Parishad is desirous of acquiring all that land in the Village of _____ in the Registration Sub-District of _____ in the District of _____ known by the _____ or being the part of the _____ known by the name of _____ as the case maybe) containing by superficial measurement _____ more or less which said land is now in the occupation of and is delineated in the survey(or Government) map of _____ as (part of) the field (or estate, or plot etc. as the case may be) No. _____ and bounded _____ on the north by _____ on the south by _____ on the east by _____ and _____ more particularly described in Schedule hereunder written (hereafter called "the said land") together with the trees, houses and all other things, whatsoever standing on the same or attached to the same or permanently fastened to anything attached to the same.

AND WHEREAS the Executive Officer has applied to the Govt. to acquire the said land on behalf of the Parishad under the provisions of the Land Acquisition Act, 1894(hereinafter referred to as the said Act).

AND WHEREAS Government has consented to acquire the said land under the said Act on behalf of the Parishad on the Parishad agreeing in the manner hereinafter appearing.

NOW THESE PRESENT WITNESS that the Parishad for itself, its successors and assigns the Executive Officer for himself and his successors and assigns with intent to bind all persons into whatsoever hands the said lands may come do and each of them doth hereby agree to pay to Government the cost of the acquisition of the said land along with and including therein an amount equivalent to the difference between the market value and the rental value of the said land as compensation payable to Government for conversion of tenure of the said land and all such charges as may be incurred by the Government or by any Officer of Government in respect of the said acquisition at such time or times as the Collector of _____ (hereinafter referred to as the Collector") shall require on the amount of the said cost or charges being certified by the Collector. And the Government doth hereby agree with the Parishad that as soon as all costs and charges of the said acquisition shall be paid by it or recovered from it as aforesaid the said land together with the trees, houses and other things standing thereon or attached thereto, or permanently fastened to anything thereto, shall vest in the parishad.

I WITNESS WHEREOF the common seal of the Parishad has been affixed hereto in the manner provided by Law and the Executive Officer has thereunto set his hand and seal the the Governor of Maharashtra hath caused by the Collector _____ to get his hand and affix his official seal hereto on his behalf this day and year first above written.

....3/-