

(2) (3)

Land Acquisition Act

Description of land proposed for
acquisition under -

GOVERNMENT OF MAHARASHTRA.
Revenue Department.
Circular No. LQN-5762-H.
Sachivalaya, Bombay, 11th March 1963.

C I R C U L A R

In Special Civil Application No.25 of 1962 in the High Court of Judicature at Bombay (Nagpur Bench) the Petitioner had alleged that only a part was proposed for acquisition from the whole survey No. in which there were fruit growing trees and a well with electric pump but the notification did not describe which particular portion of the survey No. was proposed for acquisition. The Learned Judge in his decision has remarked that an objection cannot be effectively raised by any one unless the notification showed clearly which land or which portion of it and from which side or between which dimensions or boundaries the land proposed to be acquired is situated. It may well be that there may be an objection to the acquisition of a portion of the land if it is from a particular side and not otherwise. He has, therefore, observed that if objections are to be taken and considered it is only desirable that the acquiring authority must indicate at the time of the notification itself that the land proposed to be acquired is of a particular location or situation.

2. The principle laid down in the decision is that the notification under section 4 of the Land Acquisition Act should contain adequate description of the land under acquisition so as to enable all persons interested to locate and indentify the same clearly. This is a salutary principle and it is necessary to follow it. In cases where for any reason it is found not possible to give accurate description in the notification, a plan showing clearly the notified lands should be kept for being inspected in the office of the Land Acquisition Officer and the attention of all the interested persons to the same should be invited by inserting a note to that effect at the foot of the preliminary notification as follows:-

"A Plan of the said land(s) can be inspected at the office of the Spl. Land Acquisition Officer.....".

3. The Standard Form of preliminary notification (No.R.L.A. 17 e) should be treated as modified accordingly. The Settlement Commissioner and Director of Land Records, Poona should issue necessary correction slip to the Manual of Land Acquisition.

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

R.T. NADKARNI,
Assistant Secretary to Government.

NO. L.R. 872

Poona, 7th April 1963.

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

Copy to L.R. 872 file and Circular file.

[Signature]
FOR SETTLEMENT COMMISSIONER &
DIRECTOR OF LAND RECORDS.

Copy to R.K./G.R. File.

SWE/5/4/

10 (4) (9)

Land Acquisition Act

Description of land proposed for
acquisition under -

GOVERNMENT OF MAHARASHTRA.

Revenue Department.

Circular No. LQN-5762-H.

Sachivalaya, Bombay, 11th March 1963.

C I R C U L A R

In Special Civil Application No. 25 of 1962 in the High Court of Judicature at Bombay (Nagpur Bench) the Petitioner had alleged that only a part was proposed for acquisition from the whole survey No. in which there were fruit growing trees and a well with electric pump but the notification did not describe which particular portion of the survey No. was proposed for acquisition. The Learned Judge in his decision has remarked that an objection cannot be effectively raised by any one unless the notification showed clearly which land or which portion of it and from which side or between which dimensions or boundaries the land proposed to be acquired is situated. It may well be that there may be an objection to the acquisition of a portion of the land if it is from a particular side and not otherwise. He has, therefore, observed that if objections are to be taken and considered it is only desirable that the acquiring authority must indicate at the time of the notification itself that the land proposed to be acquired is of a particular location or situation.

2. The principle laid down in the decision is that the notification under section 4 of the Land Acquisition Act should contain adequate description of the land under acquisition so as to enable all persons interested to locate and identify the same clearly. This is a salutary principle and it is necessary to follow it. In cases where for any reason it is found not possible to give accurate description in the notification, a plan showing clearly the notified lands should be kept for being inspected in the office of the Land Acquisition Officer and the attention of all the interested persons to the same should be invited by inserting a note to that effect at the foot of the preliminary notification as follows:-

"A Plan of the said land(s) can be inspected at the office of the Spl. Land Acquisition Officer.....".

3. The Standard Form of preliminary notification (No. R.L.A. 17 e) should be treated as modified accordingly. The Settlement Commissioner and Director of Land Records, Poona should issue necessary correction slip to the Manual of Land Acquisition.

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

OFFICE OF THE
S. L. R., P. C., POONA.

Date of Receipt. 7 - APR 1963
Computation. J.S.K.

R.T. NADKARNI,
Assistant Secretary to Government.

NO. L.R. 872

Poona, 7th April 1963.

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

Copy to L.R. 872 file and Circular file.

FOR SETTLEMENT COMMISSIONER &
DIRECTOR OF LAND RECORDS,

Copy to R.K./G.R. File.

No. D-50 73/63

Poona dt 26/4/63

Spere copies forwarded to all
the D.G.A.R.s in P.C. for information
& Guidance

17/4/63

8

v/c
16/4/63

copy
S.A.R.-P.C. Pooney

Despatched on

27/4/63

220

me. 1. 26

1

20000

-56-												
1	2	3	4	5	6	7	8	9	10	11	12	13
511	Shri C.V. Bairiker	Marathi Typist in S.C. & D.L.Rs. Office	S.S.C.	27-9-40	24-5-62	Comp	-	-	-	Rs. 55/-	1-6-63	-
512	" S.T. Mulla	Con. Surveyors S.S.C. under A.C.C. I Sholapur	S.S.C.	15-11-37	25-5-62	-do-	-	-	-	Rs. 55/-	25-5-63	-
513	" N.K. Kamble	-do-	S.S.C.	8-1-39	25-5-62	-do-	-	-	-	Rs. 55/-	25-5-63	-
514	" V.N. Manglikar	Copying clerk under A.C.C. II Sholapur	S.S.C.	30-5-39	25-5-62	-do-	-	-	-	Rs. 55/-	25-5-63	-
515	" V.P. Kathe	Con. Surveyors S.S.C. under A.C.C. I Anagar	S.S.C.	9-8-43	25-5-62	-do-	-	-	-	Rs. 55/-	25-5-63	-
516	" M. Ismail Chintamani	Con. Surveyor S.S.C. under A.C.C. III Barsi	S.S.C.	20-5-40	26-5-62	-do-	-	-	-	Rs. 55/-	26-5-63	-
517	" S.D. Miraiakar	Copying clerk under A.C.C. II Barsi	S.S.C.	1-6-41	26-5-62	-do-	-	-	-	Rs. 55/-	26-5-63	-
517	" F.D. Ahenkar	Con. Surveyor S.S.C. under A.C.C. IV Sholapur	S.S.C.	13-9-41	26-5-62	-do-	-	-	-	Rs. 55/-	27-5-63	-
518	" S.F. Keskar	Copying clerk under A.C.C. I Sholapur	S.S.C.	7-8-40	28-5-62	-do-	-	-	-	Rs. 55/-	28-5-63	-

④

⑤

Land Acquisition Act
Description of land proposed for
acquisition under -

GOVERNMENT OF MAHARASHTRA.
Revenue Department.
Circular No. LQN-5762-H.
Sachivalaya, Bombay, 11th March 1963.

C I R C U L A R

In Special Civil Application No. 25 of 1962 in the High Court of Judicature at Bombay (Nagpur Bench) the Petitioner had alleged that only a part was proposed for acquisition from the whole survey No. in which there were fruit growing trees and a well with electric pump but the notification did not describe which particular portion of the survey No. was proposed for acquisition. The Learned Judge in his decision has remarked that an objection cannot be effectively raised by any one unless the notification showed clearly which land or which portion of it and from which side or between which dimensions or boundaries the land proposed to be acquired is situated. It may well be that there may be an objection to the acquisition of a portion of the land if it is from a particular side and not otherwise. He has, therefore, observed that if objections are to be taken and considered it is only desirable that the acquiring authority must indicate at the time of the notification itself that the land proposed to be acquired is of a particular location or situation.

2. The principle laid down in the decision is that the notification under section 4 of the Land Acquisition Act should contain adequate description of the land under acquisition so as to enable all persons interested to locate and identify the same clearly. This is a salutary principle and it is necessary to follow it. In cases where for any reason it is found not possible to give accurate description in the notification, a plan showing clearly the notified lands should be kept for being inspected in the office of the Land Acquisition Officer and the attention of all the interested persons to the same should be invited by inserting a note to that effect at the foot of the preliminary notification as follows:-

"A Plan of the said land(s) can be inspected at the office of the Spl. Land Acquisition Officer.....".

3. The Standard Form of preliminary notification (No. R.L.A. 17 e) should be treated as modified accordingly. The Settlement Commissioner and Director of Land Records, Poona should issue necessary correction slip to the Manual of Land Acquisition.

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

R.T. NADKARNI,
Assistant Secretary to Government.

NO. L.R. 872
Poona, 7th April 1963.

Copy forwarded for information and guidance to the Dy.D.L.R. Nagpur/All S.L.Rs/Spl.S.L.Rs & the A.Os with spare copies for subordinate offices
Copy to L.R. 872 file and Circular file.

FOR SETTLEMENT COMMISSIONER &
DIRECTOR OF LAND RECORDS.

Copy to R.K./G.R. File.