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(67)

Bombay Prevention of Fragmentation &
Consolidation of Holdings Act, 1947.
Levy of fine under Section 9(2) in
respect of sales of fragment.

GOVERNMENT OF BOMBAY.
- Revenue Department.
Resolution No. Con. 3556-L.
Sachivalaya, Bombay, 8th June 1956.

Read : Government Resolution, No: Con. 3553, dated
the 15th January 1954.

RESOLUTION: Government considers that in view of the
provisions of section 64 (2) (a) (1) and (7) of the Bombay
Tenancy and Agricultural Lands Act, 1948, as amended by the
Bombay Tenancy and Agricultural Lands (Amendment) Act, 1955,
it would not be desirable to impose heavy fines on landlords
in respect of sale of fragments to their tenants in actual
possession of the fragments in contravention of Section
7(1) of the Bombay Prevention of Fragmentation and Consoli-
dation of Holdings Act.

2/- . By Section 34 of the Bombay Tenancy and Agricultural
Lands (Amendment) Act, 1955, Section 64 of the Bombay
Tenancy and Agricultural Lands Act, 1948 has been revised
and according to sub-section 2(a)(1) thereof it is per-
missible to the landlord to sell land to the tenant in
actual possession notwithstanding the fact that such land
is a fragment, Sub-section (7) of that section also pro-
vides for the sale of a fragment to the tenant in actual
possession, where such sale is by mutual agreement. Pending
enforcement of the Bombay Tenancy and Agricultural Lands
(Amendment) Act, 1955, Government is pleased to direct that
in all future cases of sale of fragments by the landlords
to the tenants in actual possession of the fragments, in
contravention of the provisions in Section 7(1) of the
Bombay Prevention of Fragmentation and Consolidation of
Holdings Act, a nominal fine of Rupee 1/- should be imposed
but eviction under Section 9(3) should not be ordered.

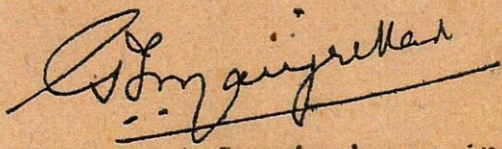
By order and in the name of the Governor of Bombay.

P. N. AMBEGAOKAR.
Assistant Secretary to Government.

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No: CON/LR-8.
Poona, 20 June 1956.

Copy forwarded with compliments for information
and guidance to Consolidation Officers (with spare copies
for Assistant Consolidation Officers).


For Settlement Commissioner and
Director of Land Records.

smp:20/6.