

C I R C U L A R

From the inspection notes of recording fragments in the Record of Rights drawn up by the Consolidation Officers and the Assistant Consolidation Officers in the various villages under their charge it is seen that inspite of the fact that the final standard areas for the whole of the Promerger Bombay State areas having been notified as far back as May 1950, no proper action to enter the fragments in the Record of Rights and to serve the notices thereof on the fragment holders has been taken. The restrictions imposed by law on the sale and lease of fragments will not be operative till the notices are served on the fragment holders and thus anti-fragmentation measures have not yet been practically enforced, though Government are keen to enforce this important and urgent land reform as quickly as possible. During the inspection of recording fragments in the Record of Rights, the following common and usual mistakes were noticed :

- (1) In many of the villages an omnibus mutation regarding the entry of fragments in the Record of Rights has not yet been made as per sample entry given in this office Circular No:L.R.950 dated 31-10-1948.
- (2) The standard areas determined for each class of land have not been mentioned in the mutation entry as per sample entry mentioned above.
- (3) The fragments are not noted in their Serial order of Survey Nos: and Sub-divisions. (Vide this office Circular No:L.R.950 dated 31-10-1948).
- (4) In the case of Survey Nos: or sub-divisions containing more than one class of land, the ratios for each class of land according to determined standard areas have not been calculated and reduced to any one class before deciding whether it is a fragment or not according to the instance given in this office Circular quoted above.
- (5) The total area of a Survey No: or sub-division inclusive of Pot Kharab has not been taken into consideration for deciding whether it is a fragment or not. Only the cultivable area excluding Pot Kharab is compared with the standard area which is incorrect.
- (6) Different classes of land are not correctly distinguished in the entry of omnibus mutation.
- (7) In some cases holdings above the prescribed standard areas are considered as fragments, which is incorrect. The above mistakes are required to be corrected by a fresh mutation.
- (7) In many a case notices to the fragment holders have not yet been issued and served.
- (9) No action has been taken in respect of fragments sold or leased in contravention of the provisions of Section 7 of the Bombay Prevention of Fragmentation and Consolidation of

Holdings.....

(2)

Holdings Act, 1947. (Vide this office Circular No:L.R.950/VIII dated 13-4-1950).

Prevention of Fragmentation is the most important part in the implementation of the Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947 and it is necessary to take proper action as provided for in Section 6(1) and (2) of the Act, ~~and~~ quickly without further delay. All the Collectors in the Bombay State are, therefore, again requested to please issue necessary instructions in the regional languages to all the Mamlatdars under them to avoid the above mentioned errors and see that the entries of fragments in the Record of Rights are properly made and the notices served on the fragment holders.

D.K. Pandya
(D.K. Pandya)

Settlement Commissioner &
Director of Land Records.

Copy with compliments to all the Collectors, Consolidation Officers for information and guidance.

2. Copy to all the Assistant Consolidation Officers for information and guidance.

CDD/-30/11/1951.