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Bombay Prevention of Fragmentation
and Consolidation of Holdings.
(Amendment) Act, 1965.
Implementation of-

Government of Maharashtra
Revenue and Forests Department.
Circular, No. CON. 1066/1501 69- V.
Sachivalaya, Bombay, 32, 25th September 1966.

C I R C U L A R.

Under Section 31 A A of the Bombay Prevention of Fragmentation and Consolidation of Holdings (Amendment) Act, 1965, any transaction of sale, transfers, partitions or sub-Division, etc. of any land in contravention of the provisions of the Bombay Prevention of Fragmentation & Consolidation of Holdings Act, 1947, made before 15th November 1965, is not to be deemed void merely on the ground of the contravention of any of any of the provisions of the said ~~Act~~ Act if the person in actual possession on the aforesaid date pays to the State Government within the prescribed period a penalty equal to one per cent of the consideration of the land transferred or subdivided or Rs. 100/- whichever ever is less. The question of framing necessary Rules under the Bombay Prevention of Fragmentation and Consolidation of Holdings (Amendment) Act, 1965 including rule laying down the period within which penalty under Section 31 A A is to be paid is at present under consideration of Government.

2. It has however been brought to the notice of Government that some Collectors are refusing to accept the amount of penalty from the occupant on the ground(s) that 'period' within which the penalty is to be paid has not yet been prescribed by rules. The new section 31AA confers a right on the occupants of getting such transactions validated on payment of prescribed penalty. They cannot be deprived of that right on the ground of delay in prescribing the period within which such penalty is to be paid. All Collectors are therefore informed that they should not refuse the amount of penalty under Section 31 AA on this ground and that they should see to it that cases of regularisation of transactions under section 31A A are dealt with by the Prant Officers Assistant Collectors after the parties have made payment of the prescribed penalty.

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

Sd/- J.G. KARANDIKAR,

Under Secretary to Government.

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No. CON IR 54.
Poona. 13-10-66.

Copy with spare copies for Assistant Consolidation Officers forwarded for information and guidance to the Superintendent of Land Records, (all)/Consolidation Officers (all) / District Inspector of Land Records (all).

2. Cyclostyled copies of S.P. of F. & C of Hs. (amendment) Act 1965 are also enclosed.

Enclosed
For Settlement Commissioner &
Director of Land Records,
M.S. Poona.

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