

Subject:- Bombay Tenancy and Agricultural Lands
Act, 1948:
Preparation of Demand Statement -
Recovery of instalments of purchase price -
as arrears of land revenue - regarding.

Memorandum:

The undersigned presents compliments to the Commissioner Bombay Division and with reference to the correspondence resting with his letter No. TNC.990 dated 15th October, 1968 on the above subject is directed to state that the point referred to Government is whether the entire purchase price including the instalments becoming due in future should be treated as the amount recoverable as arrears of land revenue. Section 32K(5) of the Bombay Tenancy and Agricultural Lands Act, 1948 reads as follows:

- i) If a tenant-purchaser fails to pay the entire amount of the purchase price within the period fixed under the provisions of this section or is in arrears of four instalments where the number of instalments fixed is four or more, and all the instalments in any other case, the amount of the purchase price remaining unpaid and the amount of interest thereon at the rate of 4½ per cent. per annum, if any, shall be recoverable by the Tribunal as an arrear of land revenue."

The word "the amount of purchase price remaining unpaid" used in section 32-K(5) would obviously include only the amount (i.e. instalments) which has become due for payment but has remained unpaid.

In view of this legal position the Commissioner is requested to issue necessary instructions to the revenue officers accordingly in the matter.

2. The case papers are returned herewith.

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

(5)

Nalhesar

Under Secretary to the Government of Maharashtra,
Revenue and Forests Department.

Accompaniment:- Case papers.

To,
The Commissioner Bombay Division,
B O M B A Y

Copies to:-

The Commissioner Poona Division,

All Collectors in Bombay and Poona Division,

The Land Reforms Implementation Officer Sachivalaya,
Bombay-32.

The Officer on Special Duty, Sachivalaya, Bombay-32.

The M(Special) Branch Revenue and Forests Department,
Sachivalaya-Bombay-32.

mnt/21-3

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OFFICE OF THE COLLECTOR,
RATNAGIRI
Date 29 MAR 1969
Branch <i>TNC</i>

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no. TNC/mis/970