

L. A. BILL No. XXIX OF 2024.

A BILL

*further to amend the Hyderabad Abolition of Inams and
Cash Grants Act, 1954.*

5 WHEREAS both Houses of the State Legislature were not in session ;

AND WHEREAS the Governor of Maharashtra was satisfied that
circumstances existed which rendered it necessary for him to take immediate
action further to amend the Hyderabad Abolition of Inams and Cash Grants
Act, 1954 for the purposes hereinafter appearing ; and, therefore, promulgated
10 the Hyderabad Abolition of Inams and Cash Grants (Amendment) Ordinance,
2024 on the 24th September 2024 ;

Hyd. Act
No. VIII
of 1955.
Mah. 10
Ord.
VIII of
2024.

AND WHEREAS it is expedient to replace the said Ordinance, by an Act of the State Legislature ; it is hereby enacted in the Seventy-fifth Year of the Republic of India as follows :—

Short title and commencement. **1.** (1) This Act may be called the Hyderabad Abolition of Inams and Cash Grants (Amendment) Act, 2024. 5

(2) It shall be deemed to have come into force on the 24th September 2024.

Amendment of section 2A of Hyd. Act No. VIII of 1955. **2.** In section 2A of the Hyderabad Abolition of Inams and Cash Grants Act, 1955 (hereinafter referred to as “the principal Act”), to sub-section (3), the following proviso shall be added, namely :— 10 Hyd. Act No. VIII of 1955.

“ Provided that, where in exceptional cases, upon complaints regarding legality of decision of officer under sub-section (1), the State Government is satisfied that it is necessary to examine the legality, propriety or regularity of such orders even after expiry of the period of one year, the State Government or the Divisional Commissioner authorised by it, may exercise such powers after expiry of the said period.” 15

Amendment of section 6 of Hyd. Act No. VIII of 1955. **3.** In section 6 of the principal Act, in sub-section (3),—

(1) in clause (a),—

(a) in the first proviso, for the words “fifty per cent.”, the words “five per cent.” shall be substituted ; 20

(b) in the second proviso, for the words “fifty per cent. of the current market value of such land”, at both the places where they occur, the words “five per cent. of the current market value of such land” shall be substituted ; 25

(2) in clause (b), in the proviso, for the words “fifty per cent.”, the words “five per cent.” shall be substituted.

Repeal of Mah. Ord. VIII of 2024 and saving. **4.** (1) The Hyderabad Abolition of Inams and Cash Grants (Amendment) Ordinance, 2024, is hereby repealed. 30 Mah. Ord. VIII of 2024.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the principal Act, as amended by the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of the principal Act, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

Section 2A of the Hyderabad Abolition of Inams and Cash Grants Act, 1954 (Hyd. Act No. VIII of 1955) provides for the powers of the State Government or authorised officer to decide certain questions relating to Inams and filing of appeals by aggrieved persons before the Collector and the Divisional Commissioner. Sub-section (3) of said section 2A provided that, the Government may, where no appeal is filed, call for the record of the proceedings of the authorised officer for the purpose of satisfying itself as to the legality, propriety or regularity of proceedings or decisions after the expiry of the period for appeal but not later than one year from such decision.

2. The Government upon inquiry into certain complaints about the legality of the orders passed by the authorised officers under sub-section 2A in respect of certain Inam lands was satisfied that such orders need to be revised. Therefore, in order to enable the Government or the Divisional Commissioner authorised to undertake revision of such orders in exceptional cases, sub-section (3) of the said section 2A was proposed to be amended, suitably.

3. The Government has by the Maharashtra Act No. XXV of 2015 amended sub-section (3) of section 6 of the said Act with a view to provide for transfer, regularisation of unauthorized transfer and conversion of the occupancy of Inam lands on payment of fifty per cent. of current market value of such land as a *Nazarana* and certain penalty to the State Government. The Government had formed a committee of revenue officers to study the provisions of said sub-section (3), need to amend the same and their possible consequences. The said Committee in its report had stated that in past several years there has been increase in market value of such lands, due to which response from the grant holders is less for transfer, regularization or conversion of such lands as per the above referred amendment. Therefore, the said Committee had recommended to reduce the amount of *Nazarana*. In view of various representations received from representatives of people and the recommendation of the said Committee, it was considered necessary to reduce the amount of *Nazarana* for transfer, regularisation and conversion of the occupancy of Inam lands payable under sub-section (3) of the said section 6 by suitably amending the said section.

4. As both Houses of the State Legislature were not in session and the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Hyderabad Abolition of Inams and Cash Grants Act, 1954, for the purposes aforesaid, the Hyderabad Abolition of Inams and Cash Grants (Amendment) Ordinance, 2024 (Mah. Ord. VIII of 2024), was promulgated by the Governor of Maharashtra on the 24th September 2024.

5. The Bill is intended to replace the said Ordinance by an Act of the State Legislature.

Nagpur,
Dated the 15th December, 2024.

DEVENDRA FADNAVIS,
Chief Minister.

**ANNEXURE TO THE L.A. BILL No. XXIX OF 2024 -
THE HYDERABAD ABOLITION OF INAMS AND CASH GRANTS
(AMENDMENT) BILL, 2024.**

**(Extracts from the Hyderabad Abolition of Inams and Cash Grants
Act, 1954)**

(Hyd. VIII of 1955)

1. and 2.

* * * *

2A. (1) If any question arises, —

(i) whether any land is an inam,

(ii) whether any inam is held with or without conditions of service and whether or not coupled with the remission of the whole or part of the land revenue,

(iii) whether any inam is a community service inam or watan,

(iv) whether a commutation settlement in respect of any watan has or has not been effected,

(v) whether any land held as inam is or is not alienable without the permission of the competent authority, or

(vi) whether any person is a kabiz-e-kadim, permanent tenant or tenant, the State Government or an officer authorised by that Government shall decide the question.

Power of State Government or authorised officer to decide certain questions relating to inmas and appeals.

(2) Whether any question is decided by an officer so authorised by the State Government, any person aggrieved by such decision may file an appeal to the State Government within ninety days from the date of such decision.

(3) Where from a decision of such officer no appeal is filed under subsection (2), the State Government may, after the expiry of the period for appeal, but not later than one year from such decision, call for the record of the proceedings of such officer for the purpose of satisfying itself as to the legality, propriety or regularity of such proceedings or decision and may pass such order thereon as it thinks fit.

(4)

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3. to 5.

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6. (1) and (2)

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(3) (a) On or after the commencement of the Hyderabad Abolition of Inams and Cash Grants (Amendment) Act, 2015 (hereinafter, in this subsection, referred to as “the commencement date”), the occupancy of Madad Mash Inam lands held on the new and impartible tenure (Occupants-Class II) may be transferred by the occupant for agricultural purpose, and no previous sanction or no objection certificate from the Collector or any other competent authority shall be necessary for such transfer. After such transfer, occupancy of such land shall be continued to be held by such transferee occupant on new and impartible tenure (Occupants-Class II), in accordance with the provisions of the Maharashtra Land Revenue Code, 1966:

Occupancy rights in respect of occupied lands to which section 5 does not apply.

Provided that, any such occupancy held on new and impartible tenure (Occupants- Class II) may, on or after the commencement date, be converted into Occupants-Class I by the occupant, by making payment of fifty per cent.

of the amount of the current market value of such land to the Government as Nazarana, and after such conversion, such land shall be held by the occupant as Occupants-Class I, in accordance with the provisions of the Maharashtra Land Revenue Code, 1966 :

Provided further that, on or after the commencement date, if any occupancy, held on new and impartible tenure (Occupants-Class II) has, without the prior sanction of the Collector or any other competent authority and without payment of the amount equal to fifty per cent. of the current market value of such land, been transferred by the occupant for non-agricultural use, such transfer may be regularised on payment of an amount equal to fifty per cent. of the current market value of such land as Nazarana, and an amount equal to fifty per cent. of such sum as a penalty, and on such payment, the occupant shall hold the land as Occupants-Class I, in accordance with the provisions of the Maharashtra Land Revenue Code, 1966.

(b) Before the commencement date, if any occupancy of Madad Mash Inam lands, held on new and impartible tenure (Occupants-Class II) has already, without previous sanction or no objection certificate from the Collector or any other competent authority, been transferred by the occupant, for agricultural purpose, such transfer may be regularised without payment of any sum as Nazarana, on the production of registered instruments such as sale deed, gift deed, *etc.*, as a proof thereof, for such transfer. After such regularisation, the occupancy of such land shall be deemed to be held by such transferee occupant as an Occupants-Class II, in accordance with the provisions of the Maharashtra Land Revenue Code, 1966 :

Provided that, before the commencement date, if any such occupancy of Madad Mash Inam lands, held on new and impartible tenure (Occupants-Class II), has already, without prior sanction of the Collector or any other competent authority, been transferred by the occupant for non-agricultural use, such transfer may be regularised on payment of an amount equal to fifty per cent. of the market value of such land on the date of the order of regularisation as Nazarana, and an amount equal to ten per cent. of such sum as a penalty, and on such payment, the land shall be deemed to be held by such transferee occupant as Occupants- Class I, in accordance with the provisions of the Maharashtra Land Revenue Code, 1966, with effect from the date of such order.

(c)	*	*	*	*
(4) to (6)	*	*	*	*
7. to 38.	*	*	*	*

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[L. A. BILL No. XXIX OF 2024.]

**[A Bill further to amend the Hyderabad
Abolition of Inams and Cash Grants Act,
1954.]**

**[SHRI DEVENDRA FADNAVIS,
Chief Minister.]**

**JITENDRA BHOLE,
Secretary (1) (I/C),
Maharashtra Legislative Assembly.**