

L. A. BILL No. CV OF 2025.

A BILL

further to amend the Mamlatdar's Court Act, 1906.

Bom. II
of 1906. 5 WHEREAS it is expedient further to amend the Mamlatdar's Court
Act, 1906 for the purposes hereinafter appearing ; it is hereby enacted in the
Seventy-sixth Year of the Republic of India as follows :—

1. This Act may be called the Mamlatdar's Court (Amendment) Act, 2025. Short title.

Insertion of
new section
14A in Bom.
II of 1906.

2. After section 14 of the Mamlatdar's Court Act, 1906 (hereinafter referred to as "the principal Act"), the following section shall be inserted, namely :— Bom. II of 1906.

Mode of
serving
notice.

"14A (1) Subject to the provisions of this Act and the rules made thereunder, every notice under this Act may be served either by tendering 5
or delivering a copy thereof, or sending such copy by post to the person on
whom it is to be served or his authorised agent, or if service in the manner
aforesaid cannot be made, by affixing a copy thereof at his last known
place of residence or at some place of public resort in the village in which
the land to which the notice relates is situated or from which the land is 10
cultivated or by electronic mail service.

(2) No such notice shall be deemed to be void on account of any error
in the name or designation of any person, or in the description of any land,
referred to therein, unless such error has produced substantial injustice."

Amendment
of section 21
of Bom. II of
1906.

3. In section 21 of the principal Act, after sub-section (4), the following 15
sub-section shall be inserted, namely :—

"(5) Police Security.— In cases of use of farm roads or customary
ways, if the encroaching farmer fails to respond to the decision of
Mamlatdar, then it shall be mandatory to provide free police security to
the applicant." 20

Amendment
of section 23
of Bom. II of
1906.

4. In section 23 of the principal Act,—

(i) in sub-section (2A), after the words "Deputy Collector" the words
", Sub-Divisional Officer" shall be inserted ;

(ii) in sub-section (3), after the words "Deputy Collector" the words
", Sub-Divisional Officer" shall be inserted. 25

STATEMENT OF OBJECTS AND REASONS

The Mamlatdar's Courts Act, 1906 (Bom. II of 1906) is enacted to consolidate and amend the law relating to the powers and procedure of Mamlatdar's Courts. Under the said Act, crucial powers have been granted to the Mamlatdar's Courts to remove any impediment to the flow of water used for any agricultural land or grazing land or to restore use of water from any well, tank, etc., and to give immediate possession of agricultural or grazing lands or trees or crops to the person who has been dispossessed or deprived thereof otherwise than due course of law.

2. In the Mamlatdar's Court proceedings the notices are required to be issued at various stages. However, the manner for serving notice is not provided in the said Act. Due to various reasons such as insufficient addresses, non-acceptance of notices by parties, etc., the notices issued by Mamlatdar's Courts cannot be served to the concerned parties in time bound manner. Consequently, the courts proceedings get delayed and decisions are prolonged. To ensure timely and proper service of notice to interested persons or parties and to facilitate the speedy completion of the Mamlatdar's Courts proceedings, it is considered expedient to amend the said Act to specifically provide for the manner for serving the notice. It is also proposed to provide for service of notice by electronic mail services for speedy service of notices.

3. It is also considered expedient to provide for free police security for the applicants, in cases of use of farm roads or customary ways, for effective implementation of the Mamlatdar's decisions.

4. The Bill seeks to achieve the above objectives.

Nagpur,
Dated the 10th December, 2025.

CHANDRASHEKHAR BAWANKULE,
Minister for Revenue.

23. (1) and (2) ** ** ** ** Bar of appeal.

(3) Where the Collector, Assistant Collector or Assistant Commissioner takes any proceedings under this Act he shall be deemed to be a Court under this Act.

SCHEDULES. ** ** ** **

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

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**[A Bill further to amend the
Mamlatdar's Court Act, 1906.]**

[SHRI CHANDRASHEKHAR BAWANKULE,
Minister for Revenue.]

JITENDRA BHOLE,
Secretary-1,
Maharashtra Legislative Assembly.