Boundary and Boundary Marks

Chapter IX (Sections 132 to 146) of the Maharashtra Land Revenue Code, 1966

Maharashtra Land Revenue (Boundaries and Boundary Marks) Rules, 1969

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Meaning of Boundary Marks

• It’s a physical marker that denotes the start of a land boundary

• They are used to mark the boundaries between countries, states, local administration units and also limits of private holdings
“Boundary mark” means
• any erection,
• whether of earth, stone or other material and also any hedge unploughed ridge, or strip of ground, or other object whether natural or artificial,
• set up, employed or specified by the survey officer or revenue officer having authority in that behalf,
• in order to designate the boundary of any division of land.
Officers responsible for demarcation of boundary and boundary marks

• When survey operations are going on: whether original or revisional: Survey Officers
• After Completion of Survey: Collector
Fixation and Demarcation of boundaries

• Sec. 132: Boundaries of all villages in the State and all survey numbers in villages shall be fixed and demarcated by boundary marks.

• Sec. 133: Boundaries of all villages shall be fixed and all disputes relating there to shall be determine survey officer after holding formal inquiry after giving opportunity of appearing and producing evidence
Determination of field boundaries

• Sec. 134: At the time of survey if
  – field boundaries are undisputed: laid down as pointed by holders

  – field boundaries are disputed or if holder is not present: laid down by survey officer after ascertaining occupation and evidence
Disputes regarding boundaries between villages, survey numbers and sub division

• Sec. 135: Any dispute arising concerned to boundary of village, field, holding which has not been surveyed or after completion of survey is to be decided by Collector after holding formal inquiry and after giving opportunity of appearing and producing evidence
Application for demarcation of boundaries

Sec. 136: Collector may demarcate the boundaries on application of party interested. The State Government may make rules for the same, prescribing nature of boundary marks to be used, levy of fees, holders of land in demarcated survey number and sub division
Application for Straightening of Crooked Boundaries

• Any person desiring to regularise or straighten out the irregular or crooked boundaries of his field or holding may apply to that effect to the survey officer (District Inspector of Land Records)

• If the survey officer is satisfied that in the interest of better cultivation and easier maintenance of boundary marks it would be expedient to regularise or straighten out the boundaries he has to prepare a plan to revise the boundaries and for payment of compensation to the persons who would suffer loss of land.
Effect of boundary

• Sec. 138
• It finally fixes the boundary line or boundary marks
• Rights of land holders on either side of the boundary fixed in respect of land or buildings.
• Collector may at any time summarily evict any land holder who is wrongfully in possession of any land which has been adjudged
• This decision of collector can be appealed or even civil suit can be filed against it.
Responsibility for maintenance of Boundary marks

• Sec. 140: Every land holder shall be responsible for the same.
• Village officer has to prevent destruction or unauthorized alteration.
Right of way over boundaries

• Sec. 143: Tehsildar to decide the claims of persons to right of way over the boundaries of other survey numbers after conducting inquiry.
• The aggrieved person has a right to institute a suit in the Civil Court against the order of the Tehsildar within one year from the date of order or prefer an appeal to the higher Revenue Officers.
• If suit is filed, no appeal is allowed.
Penalty for injuring boundary marks

• Sec. 145: Any person is proved willfully erased, removed or injured us boundary marks or survey marks shall be liable to fine not exceeding Rs. 100/- for each mark so erased.

• Inquiry to that effect may be carried out before the Collector, Survey officer, Tehsildar or Naib Tehsildar