



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग आठ

वर्ष ५, अंक १२]

सोमवार, एप्रिल १५, २०१३/चैत्र २५, शके १९३५

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असाधारण क्रमांक २१

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद)

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Project Affected Persons Rehabilitation (Amendment) Bill, 2013 (L. A. Bill No. XIII of 2013), introduced in the Legislative Assembly on the 15th April 2013, is hereby published under the authority of the Governor.

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

H. B. PATEL,  
Secretary to Government,  
Law and Judiciary Department.

**L. A. BILL No. XIII OF 2013.**

*A BILL*

*further to amend the Maharashtra Project Affected Persons Rehabilitation Act, 1999.*

Mah. XI  
of 2001.

WHEREAS, it is expedient further to amend the Maharashtra Project Affected Persons Rehabilitation Act, 1999, for the purposes hereinafter appearing ; it is hereby enacted in the Sixty-fourth Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Project Affected Persons Rehabilitation (Amendment) Act, 2013. Short title.

Amendment  
of section 2 of  
Mah. XI of  
2001.

2. In section 2 of the Maharashtra Project Affected Persons Rehabilitation Act, 1999, in clause (2), in sub-clause (a), in the *Explanation*,— Mah. XI  
of 2001.

(i) after the words “every brother” the words “or sister” shall be inserted ;

(ii) for the words “son or sons of any deceased brother all together as one unit” the words “son or sons or daughter or daughters of each deceased brother or deceased sister as one separate unit of such brother or sister” shall be substituted.

## STATEMENT OF OBJECTS AND REASONS

The Maharashtra Project Affected Persons Rehabilitation Act, 1999 (Mah. XI of 2001) provides for rehabilitation of persons affected by certain projects in the State such as Irrigation Projects, Power Projects, Public Utility Projects, Industrial Projects, etc.

Clause (2) of section 2 of the said Act defines the term "affected person" as occupant whose land in the affected zone (including land in the *gaathan*) is acquired under section 14 for the purposes of a project. *Explanation* to sub-clause (a) of the said clause (2) provides that where any agricultural land is recorded in the relevant village records in the name of one of the brothers as a *Karta* or Manager of a Hindu Joint Family, then every brother (or son or sons of any deceased brother all together as one unit) who has a share in the lands, whether his name is recorded in such village record or not, shall be treated as a affected person and is entitled to benefits under the said Act.

As the Hindu Succession Act, 1956 (30 of 1956) has been amended by the Hindu Succession (Amendment) Act, 2005 (39 of 2005) to provide that in a Joint Hindu Family the daughter of a coparcener shall have the same rights in the coparcenary property as that of a son. In view of equal rights granted to daughters in the coparcenary property, the Government considers it expedient to suitably amend the said Act so as to give benefits of project affected person under the said Act also to the sisters, sons and daughters of the deceased sisters and daughters of the deceased brothers.

2. The Bill seeks to achieve the above objectives.

Mumbai,

Dated the 10th April 2013.

DR. PATANGRAO KADAM,  
Minister for Rehabilitation and  
Relief Works.