



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष १, अंक १६(२)]

मंगळवार, एप्रिल ७, २०१५/चैत्र १७, शके १९३७

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असाधारण क्रमांक ३५

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि 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 Land Revenue Code (Amendment) Bill, 2015 (L. A. Bill No. XXI of 2015), introduced in the Legislative Assembly on the 7th April 2015, is hereby published under the authority of the Governor.

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

M. A. SAYEED,
Principal Secretary and R.L.A.
to Government,
Law and Judiciary Department.

L. A. BILL No. XXI OF 2015.

A BILL

further to amend the Maharashtra Land Revenue Code, 1966.

Mah.
XLI of
1966.

WHEREAS it is expedient further to amend the Maharashtra Land Revenue Code, 1966, for the purposes hereinafter appearing ; it is hereby enacted in the Sixty-sixth Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Land Revenue Code (Amendment) Act, 2015. Short title.

Mah.
XLI of
1966.

2. In section 44A of the Maharashtra Land Revenue Code, 1966 (hereinafter referred to as “the said Code”),—

Amendment
of section 44A
of Mah. XLI of
1966.

(1) in sub-section (1),—

(a) in clause (iii), for the words “ as a special township project ”, the words “ as an Integrated Township Project ” shall be substituted ;

(b) in condition (b), for the words “ or special township project ”, the words “ or Integrated Township Project ” shall be substituted ;

(c) in condition (d), for the words “ or special township project,”, the words “ or Integrated Township Project ” shall be substituted ;

(II) in sub-section (2), for the words “ or special township project ”, the words “or Integrated Township Project” shall be substituted ;

(III) in sub-section (5),—

(a) for the words “ or special township project”, the words “ or Integrated Township Project ” shall be substituted ;

(b) after the words “ a *sanad* shall be granted to the holder thereof in the prescribed form”, the words “within a period of sixty days in case of *bona-fide* industrial use and ninety days in case of Integrated Township Project from the date of receipt of such intimation ” shall be added ;

(IV) for *Explanation-II*, the following *Explanation* shall be substituted, namely :—

“*Explanation-II*.—For the purposes of this section, “Integrated Township Project” means Integrated Township Project or projects under the Regulations framed for development of Integrated Township Project by the Government, under the provisions of the Maharashtra Regional and Town Planning Act, 1966.”

Mah.
XXXVII
of 1966.

Amendment
of section 328
of Mah. XLI of
1966.

3. In section 328 of the said Code, in sub-section (2), in clause (xvi-a), for the words “or special township project”, the words “ or Integrated Township Project” shall be substituted.

4. (1) If any difficulty arises in giving effect to the provisions of the said Code, as amended by this Act, the State Government may, as occasion arises, by an order published in the *Official Gazette*, do anything not inconsistent with the provisions of this Act, which appears to it to be necessary or expedient for the purpose of removing such difficulty :

Power to
remove
difficulties.

Provided that, no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before each House of the State Legislature.

STATEMENT OF OBJECTS AND REASONS

The Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966) provides for grant of *Sanad* under section 44A to persons using the land for *bona-fide* industrial use or special township projects. It has been observed that as the period for granting *Sanad* is not provided in the said section, the grant of *Sanad* under section 44A is often delayed.

2. In order to ensure speedy action in granting *Sanad*, it is necessary to specify the period for grant thereof in the said section 44A. Considering this, it is proposed to specify a period of sixty days for grant of *Sanad* in case of *bona-fide* industrial use and ninety days in case of Integrated Township Projects, from the date of receipt of such intimation.

3. It is also necessary to replace the words “ Special Township Project ” by the words “ Integrated Township Project ” as such amendment has already been made in the Maharashtra Regional Town and Planning Act, 1966 (Mah. XXXVII of 1966). Therefore, the consequential amendments in sections 44A and 328 of said Code are proposed.

4. The Bill seeks to achieve the above objectives.

Mumbai,
Dated the 6th April 2015.

EKNATHRAO KHADSE,
Minister for Revenue.

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill involves the following proposal for delegation of legislative power, nemely :—

Clause 4.—Under this clause, power is taken to the State Government to issue an order for removing any difficulty, which may arise in giving effect to the provisions of the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966), as amended by this Act.

2. The above-mentioned proposal for delegation of legislative power is of a normal character.