



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

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असाधारण क्रमांक ७

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 Increase of Land Revenue and Special Assessment (Amendment) Bill, 2019 (L. A. Bill No. III of 2019), introduced in the Maharashtra Legislative Assembly on the 25th February 2019, is hereby published under the authority of the Governor.

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

RAJENDRA G. BHAGWAT,
Secretary (Legislation) to Government,
Law and Judiciary Department.

L. A. BILL No. III OF 2019.

A BILL

*further to amend the Maharashtra Increase of Land Revenue and
Special Assessment Act, 1974.*

Mah. XX of 1974. WHEREAS it is expedient further to amend the Maharashtra Increase of Land Revenue and Special Assessment Act, 1974, for the purposes hereinafter appearing ; it is hereby enacted in the Seventieth Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Increase of Land Revenue and Special Assessment (Amendment) Act, 2019. Short title.

Insertion of section 12A in Mah. XX of 1974.

2. After section 12 of the Maharashtra Increase of Land Revenue and Special Assessment Act, 1974 (hereinafter referred to as “ the principal Act ”), the following section shall be inserted, namely :—

Mah. XX of 1974.

Act not to apply to certain land.

“ **12A.** Nothing in this Act, shall apply to the land leased or held by the Maharashtra Housing and Area Development Authority established under the Maharashtra Housing and Area Development Act, 1976 or the City and Industrial Development Corporation declared as New Town Development Authority under the Maharashtra Regional and Town Planning Act, 1966. ” .

Mah. XXVIII of 1977.

Mah. XXXVII of 1966.

Power to remove difficulty.

3. (1) If any difficulty arises in giving effect to the provisions of the principal Act, 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 the principal Act, as amended by this Act, which appears to it to be necessary or expedient for the purpose of removing the difficulty :

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 Increase of Land Revenue and Special Assessment Act, 1974 (Mah. XX of 1974) (hereinafter referred to as " the said Act ") *inter alia* provides for increase of land revenue which is payable by a holder in respect of his holding at the rate specified therein.

Section 3 of the said Act provides that if a holder of a land holds land more than eight hectares or more but less than twelve hectares, then the amount of land revenue payable by such holder shall be increased at the rate of fifty per cent. of land revenue payable in respect of such holding and if such holder holds land more than twelve hectare or more, then the amount of land revenue payable by such holder shall be increased at the rate of hundred per cent. of land revenue payable in respect of such holding.

2. The Maharashtra Housing and Area Development Authority (MHADA) established under the Maharashtra Housing and Area Development Act, 1976 (Mah. XXVIII of 1977) or the City and Industrial Development Corporation (CIDCO) declared as New Town Development Authority under the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966), are the Government of Maharashtra undertakings, which have their layouts across the State and plots have been leased out of these layouts, but ownership of such plots remains with MHADA or CIDCO.

Where the area of layout of MHADA or CIDCO is more than eight hectares, as provided by section 3 of the Act, the holders, that is to say, that the MHADA and CIDCO are required to pay the land revenue at increased rates specified therein in respect of such layout. However the burden of such additional land revenue, in turn, is passed on to the plot holders in such layouts. As a result, such plot holder lessees are required to pay non-agricultural assessment at increased rate even if their individual holdings are less than eight hectares.

The Government has received requests from various quarters to reduce the rates of increased land revenue in the aforesaid circumstances.

3. In view of the aforesaid, it is considered expedient to amend the said Act with a view to providing that the provisions of the said Act shall not be applicable to the lands held or leased by MHADA or CIDCO, so that their plot holders in such layout shall not be required to pay non-agricultural assessment at higher rates, as per section 3 thereof, even though the area under such entire layout is more than eight hectares.

4. The Bill seeks to achieve the above objectives.

Mumbai,
Dated the 20th February 2019.

CHANDRAKANT (DADA) PATIL,
Minister for Revenue.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

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

Clause 3.—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 Increase of Land Revenue and Special Assessment Act, 1974 (Mah. XX of 1974) as amended by this Act.

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