



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ७, अंक १०(२)]

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असाधारण क्रमांक १६

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 Paragana and Kulkarni Watans (Abolition), Maharashtra Service Inams (Useful to Community) Abolition, Maharashtra Merged Territories Miscellaneous Alienations Abolition, Maharashtra Inferior Village Watans Abolition and Maharashtra Revenue Patels (Abolition of Office) (Amendment) Bill, 2021 (L. A. Bill No. IX of 2021), introduced in the Maharashtra Legislative Assembly on the 5th July 2021, is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,
I/c. Secretary (Legislation) to Government,
Law and Judiciary Department.

L. A. BILL No. IX OF 2021.

A BILL

further to amend the Maharashtra Paragana and Kulkarni Watans (Abolition) Act, the Maharashtra Service Inams (Useful to Community) Abolition Act, the Maharashtra Merged Territories Miscellaneous Alienations Abolition Act, the Maharashtra Inferior Village Watans Abolition Act and the Maharashtra Revenue Patels (Abolition of Office) Act, 1962.

LX of 1950. WHEREAS it is expedient further to amend the Maharashtra Paragana
LXX of 1953. and Kulkarni Watans (Abolition) Act, the Maharashtra Service Inams (Useful

(१)

to Community) Abolition Act, the Maharashtra Merged Territories Miscellaneous Alienations Abolition Act, the Maharashtra Inferior Village Watans Abolition Act and the Maharashtra Revenue Patels (Abolition of Office) Act, 1962, for the purposes hereinafter appearing ; it is hereby enacted in the Seventy-second Year of the Republic of India, as follows :—

XXII of 1955.
I of 1959.
Mah. XXXV
of 1962.

CHAPTER I

PRELIMINARY

Short title. 1. This Act may be called the Maharashtra Paragana and Kulkarni Watans (Abolition), Maharashtra Service Inams (Useful to Community) Abolition, Maharashtra Merged Territories Miscellaneous Alienations Abolition, Maharashtra Inferior Village Watans Abolition and Maharashtra Revenue Patels (Abolition of Office) (Amendment) Act, 2021.

CHAPTER II

AMENDMENT TO THE MAHARASHTRA PARAGANA AND KULKARNI WATANS (ABOLITION) ACT.

Amendment of section 4 of LX of 1950. 2. In section 4 of the Maharashtra Paragana and Kulkarni Watans (Abolition) Act, in sub-section (2), after the third proviso, the following proviso shall be added, namely :—

“Provided also that, on or before the commencement of the Maharashtra Paragana and Kulkarni Watans (Abolition), the Maharashtra Service Inams (Useful to Community) Abolition, the Maharashtra Merged Territories Miscellaneous Alienations Abolition, the Maharashtra Inferior Village Watans Abolition and the Maharashtra Revenue Patels (Abolition of Office) (Amendment) Act, 2021, if any such occupancy has already, without prior permission of the Collector or any other competent authority and without payment of an amount equal to fifty per cent. of the current market value of such land, been transferred for non-agricultural use, or utilised for non-agricultural use, and division of such land or plot has been or is being regularised under the Maharashtra *Gunthewari* Developments (Regularisation, Upgradation and Control) Act, 2001 (hereinafter referred to as “the *Gunthewari* Developments Act”), then such transfer may be regularised on payment of an amount equal to twenty five per cent. of the current market value of such land in addition to any amount payable under the *Gunthewari* Development Act for regularization of *gunthewari* development; and on such payment, the occupant shall hold the land or plot as an occupant Class-I in accordance with the provisions of the Code.

Mah.
..... of
2021.

Mah.
XXVII
of 2001.

Explanation.—For the purposes of this sub-section, the term “market value of such land” means the value of such land specified in the Annual Statement of Rates published under the provisions of the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995 or any other Rules for the time being in force, in this regard for the relevant year, and where such Annual Statement of Rates is not prepared or available, it means the value of such land as determined by the Assistant Director of the Town Planning Department of the concerned District.”.

CHAPTER III

AMENDMENT TO THE MAHARASHTRA SERVICE INAMS (USEFUL TO COMMUNITY) ABOLITION ACT.

LXX of 1953. **3.** In section 5 of the Maharashtra Service Inams (Useful to Community) Abolition Act, in sub-section (3), after the third proviso, the following proviso shall be added, namely :—

Amendment of section 5 of LXX of 1953.

Mah.
..... of
2021.

“ Provided also that, on or before the commencement of the Maharashtra Paragana and Kulkarni Watans (Abolition), the Maharashtra Service Inams (Useful to Community) Abolition, the Maharashtra Merged Territories Miscellaneous Alienations Abolition, the Maharashtra Inferior Village Watans Abolition and the Maharashtra Revenue Patels (Abolition of Office) (Amendment) Act, 2021, if any such occupancy has already, without prior permission of the Collector or any other competent authority and without payment of an amount equal to fifty per cent. of the current market value of such land, been transferred for non-agricultural use, or utilised for non-agricultural use, and division of such land or plot has been or is being regularised under the Maharashtra *Gunthewari* Developments (Regularisation, Upgradation and Control) Act, 2001 (hereinafter referred to as “ the *Gunthewari* Developments Act ”), then such transfer may be regularised on payment of an amount equal to twenty five per cent. of the current market value of such land in addition to any amount payable under the *Gunthewari* Development Act for regularization of *gunthewari* development; and on such payment, the occupant shall hold the land or plot as an occupant Class-I in accordance with the provisions of the Code.

Mah.
XXVII
of 2001.

Explanation.—For the purposes of this sub-section, the term “market value of such land” means the value of such land specified in the Annual Statement of Rates published under the provisions of the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995 or any other Rules for the time being in force, in this regard for the relevant year, and where such Annual Statement of Rates is not prepared or available, it means the value of such land as determined by the Assistant Director of the Town Planning Department of the concerned District.”.

CHAPTER IV

AMENDMENTS TO THE MAHARASHTRA MERGED TERRITORIES MISCELLANEOUS ALIENATIONS ABOLITION ACT.

XXII of 1955. **4.** In section 6 of the Maharashtra Merged Territories Miscellaneous Alienations Abolition Act (hereinafter in this Chapter, referred to as “the principal Act”), after the fifth proviso, the following proviso shall be added, namely :—

Amendment of section 6 of XXII of 1955.

Mah.
..... of
2021.

“ Provided also that, on or before the commencement of the Maharashtra Paragana and Kulkarni Watans (Abolition), the Maharashtra Service Inams (Useful to Community) Abolition, the Maharashtra Merged Territories Miscellaneous Alienations Abolition, the Maharashtra Inferior Village Watans Abolition and the Maharashtra Revenue Patels (Abolition of Office) (Amendment) Act, 2021, if any such occupancy has already, without prior permission of the Collector or any other competent authority and without payment of an amount equal to fifty per cent. of the current market value of such land, been transferred for non-agricultural use, or utilised for non-agricultural use,

and division of such land or plot has been or is being regularised under the Maharashtra *Gunthewari* Developments (Regularisation, Upgradation and Control) Act, 2001 (hereinafter referred to as “the *Gunthewari* Developments Act”), then such transfer may be regularised on payment of an amount equal to twenty five per cent. of the current market value of such land in addition to any amount payable under the *Gunthewari* Development Act for regularization of *gunthewari* development; and on such payment, the occupant shall hold the land or plot as an occupant Class-I in accordance with the provisions of the Code.

Mah.
XXVII
of 2001.

Explanation.—For the purposes of this sub-section, the term “market value of such land” means the value of such land specified in the Annual Statement of Rates published under the provisions of the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995 or any other Rules for the time being in force, in this regard for the relevant year, and where such Annual Statement of Rates is not prepared or available, it means the value of such land as determined by the Assistant Director of the Town Planning Department of the concerned District.”.

Amendment
of section 7 of
XXII of 1955.

5. In section 7 of the principal Act, in clause (3), after the third proviso, the following proviso shall be added, namely :—

“Provided also that, on or before the commencement of the Maharashtra Paragana and Kulkarni Watans (Abolition), the Maharashtra Service Inams (Useful to Community) Abolition, the Maharashtra Merged Territories Miscellaneous Alienations Abolition, the Maharashtra Inferior Village Watans Abolition and the Maharashtra Revenue Patels (Abolition of Office) (Amendment) Act, 2021, if any such occupancy has already, without prior permission of the Collector or any other competent authority and without payment of an amount equal to fifty per cent. of the current market value of such land, been transferred for non-agricultural use, or utilised for non-agricultural use, and division of such land or plot has been or is being regularised under the Maharashtra *Gunthewari* Developments (Regularisation, Upgradation and Control) Act, 2001 (hereinafter referred to as “the *Gunthewari* Developments Act”), then such transfer may be regularised on payment of an amount equal to twenty five per cent. of the current market value of such land in addition to any amount payable under the *Gunthewari* Development Act for regularization of *gunthewari* development; and on such payment, the occupant shall hold the land or plot as an occupant Class-I in accordance with the provisions of the Code.

Mah.
..... of
2021.

Mah.
XXVII
of 2001.

Explanation.—For the purposes of this sub-section, the term “market value of such land” means the value of such land specified in the Annual Statement of Rates published under the provisions of the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995 or any other Rules for the time being in force, in this regard for the relevant year, and where such Annual Statement of Rates is not prepared or available, it means the value of such land as determined by the Assistant Director of the Town Planning Department of the concerned District.”.

CHAPTER V

AMENDMENT TO THE MAHARASHTRA INFERIOR
VILLAGE WATANS ABOLITION ACT.

I of 1959. **6.** In section 5 of the Maharashtra Inferior Village Watans Abolition Act, in sub-section (3), after the third proviso, the following proviso shall be added, namely :—

Amendment of section 5 of I of 1959.

Mah.
..... of
2021.

“Provided also that, on or before the commencement of the Maharashtra Paragana and Kulkarni Watans (Abolition), the Maharashtra Service Inams (Useful to Community) Abolition, the Maharashtra Merged Territories Miscellaneous Alienations Abolition, the Maharashtra Inferior Village Watans Abolition and the Maharashtra Revenue Patels (Abolition of Office) (Amendment) Act, 2021, if any such occupancy has already, without prior permission of the Collector or any other competent authority and without payment of an amount equal to fifty per cent. of the current market value of such land, been transferred for non-agricultural use, or utilised for non-agricultural use, and division of such land or plot has been or is being regularised under the Maharashtra *Gunthewari* Developments (Regularisation, Upgradation and Control) Act, 2001 (hereinafter referred to as “ the *Gunthewari* Developments Act ”), then such transfer may be regularised on payment of an amount equal to twenty five per cent. of the current market value of such land in addition to any amount payable under the *Gunthewari* Development Act for regularization of *gunthewari* development ; and on such payment, the occupant shall hold the land or plot as an occupant Class-I in accordance with the provisions of the Code.

Mah.
XXVII
of 2001.

Explanation.—For the purposes of this sub-section, the term “ market value of such land ” means the value of such land specified in the Annual Statement of Rates published under the provisions of the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995 or any other Rules for the time being in force, in this regard for the relevant year, and where such Annual Statement of Rates is not prepared or available, it means the value of such land as determined by the Assistant Director of the Town Planning Department of the concerned District.”.

CHAPTER VI

AMENDMENT TO THE MAHARASHTRA REVENUE PATELS (ABOLITION OF OFFICE)
ACT, 1962.

Mah. XXXV of 1962. **7.** In section 5 of the Maharashtra Revenue Patels (Abolition of Office) Act, 1962, in sub-section (3), after the third proviso, the following proviso shall be added, namely :—

Amendment of section 5 of Mah. XXXV of 1962.

Mah.
..... of
2021.

“Provided also that, on or before the commencement of the Maharashtra Paragana and Kulkarni Watans (Abolition), the Maharashtra Service Inams (Useful to Community) Abolition, the Maharashtra Merged Territories Miscellaneous Alienations Abolition, the Maharashtra Inferior Village Watans Abolition and the Maharashtra Revenue Patels (Abolition of Office) (Amendment) Act, 2021, if any such occupancy has already, without prior permission of the Collector or any other competent authority and without payment of an amount equal to fifty per cent. of the current market value of such land, been transferred for non-agricultural use, or utilised for non-agricultural use, and division of such land or plot has been or is being regularised under the Maharashtra *Gunthewari* Developments (Regularisation, Upgradation and Control) Act, 2001 (hereinafter referred to as “the *Gunthewari*

Mah.
XXVII
of 2001.

Developments Act”), then such transfer may be regularised on payment of an amount equal to twenty five per cent. of the current market value of such land in addition to any amount payable under the Gunthewari Development Act for regularization of gunthewari development ; and on such payment, the occupant shall hold the land or plot as an occupant Class-I in accordance with the provisions of the Code.

Explanation.—For the purposes of this sub-section, the term “market value of such land” means the value of such land specified in the Annual Statement of Rates published under the provisions of the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995 or any other Rules for the time being in force, in this regard for the relevant year, and where such Annual Statement of Rates is not prepared or available, it means the value of such land as determined by the Assistant Director of the Town Planning Department of the concerned District.”.

STATEMENT OF OBJECTS AND REASONS

In the State of Maharashtra, the following Inam and Watan Abolition Acts are in force :—

1. the Maharashtra Paragana and Kulkarni Watans (Abolition) Act (LX of 1950),
2. the Maharashtra Service Inams (Useful to Community) Abolition Act (LXX of 1953),
3. the Maharashtra Merged Territories Miscellaneous Alienations Abolition Act (XXII of 1955),
4. the Maharashtra Inferior Village Watans Abolition Act (I of 1959) and
5. the Maharashtra Revenue Patels (Abolition of Office) Act, 1962 (Mah. XXXV of 1962).

2. All the above Acts *inter alia* provides for regularisation of transfer of land (excluding Mahar Watan Land) without prior permission of the Competent Authority. Accordingly, lands transferred for non-agricultural purpose are regularized on payment of fifty per cent. of market value of land as Nazrana, in addition to fine equal to fifty per cent. of such Nazrana. After paying such amount, the occupant holds the land as occupant Class-I.

3. The Maharashtra *Gunthewari* Developments (Regularisation, Upgradation and Control) Act, 2001 (Mah. XXVII of 2001) (hereinafter referred to as “the Gunthewari Act”), has been enacted in the State to regularize constructions on the lands sold by way of ‘Gunthewari’.

4. While regularizing the developments under Gunthewari, prescribed compounding fee and development charge are recovered, as per the provisions of the Gunthewari Act. In addition to that, if the land under gunthewari is Watan or Inam land, then seventy-five per cent. of its valuation is charged for regularizing illegal transfer of such Watan or Inam land.

5. There is a demand to reduce the amount of Nazrana and fine levied under the Inam and Watan Abolition Acts, while regulating Gunthewari on such Inam or Watan lands. Therefore, the Government considers it expedient to make provision to reduce the total amount of Nazrana and fine to twenty-five per cent. of the valuation of such Inam or Watan land as per the Annual Statement of Rates, while regularizing gunthewari on such Inam or Watan land.

6. It is, therefore, considered expedient to suitably amend the Maharashtra Paragana and Kulkarni Watans (Abolition) Act, the Maharashtra Service Inams (Useful to Community) Abolition Act, the Maharashtra Merged Territories Miscellaneous Alienations Abolition Act, the Maharashtra Inferior Village Watans Abolition Act and the Maharashtra Revenue Patels (Abolition of Office) Act, 1962.

7. The Bill seeks to achieve the above objectives.

Mumbai,
Dated the 29th June 2021.

BALASAHEB THORAT,
Minister for Revenue.