



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष १, अंक ६३]

गुरुवार, डिसेंबर ३१, २०१५/पौष १०, शके १९३७

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असाधारण क्रमांक १३६

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 Regional and Town Planning (Third Amendment) Act, 2015 (Mah. Act No. XLII of 2015), is hereby published under the authority of the Governor.

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

N. J. JAMADAR,
I/c. Secretary (Legislation) to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XLII OF 2015.

(First published after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 31st December 2015)

An Act further to amend the Maharashtra Regional and Town Planning Act, 1966.

WHEREAS both Houses of the State Legislature were not in session ;

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Maharashtra Regional and Town Planning Act, 1966, for the purposes hereinafter appearing; and, therefore, promulgated the Maharashtra Regional and Town Planning (Second Amendment) Ordinance, 2015, on the 29th August 2015 ;

Mah.
XXXVII
of 1966.
Mah.
Ord.
XVII of
2015.

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature; it is hereby enacted in the Sixty-sixth Year of the Republic of India as follows :—

Short title and commencement.	1. (1) This Act may be called the Maharashtra Regional and Town Planning (Third Amendment) Act, 2015.	
	(2) It shall be deemed to have come into force on the 29th August 2015.	
Amendment of section 40 of Mah. XXXVII of 1966.	2. In section 40 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as “ the principal Act ”), in sub-section (3), in clause (e), for the words and figures “ under the Land Acquisition Act, 1894 ” the words and figures “ under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ” shall be substituted.	Mah. XXXVII of 1966. I of 1894. 30 of 2013.
Amendment of section 113A of Mah. XXXVII of 1966.	3. In section 113A of the principal Act, for the words and figures “under the Land Acquisition Act, 1894” the words and figures “ under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ” shall be substituted.	I of 1894. 30 of 2013.
Amendment of section 116 of Mah. XXXVII of 1966.	4. In section 116 of the principal Act, for the words and figures “under the Land Acquisition Act, 1894” the words and figures “ under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ” shall be substituted.	I of 1894. 30 of 2013.
Amendment of section 125 of Mah. XXXVII of 1966.	5. In section 125 of the principal Act,— (i) for the words and figures “ within the meaning of the Land Acquisition Act, 1894 ” the words and figures “ within the meaning of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ” shall be substituted;	I of 1894. 30 of 2013.
	(ii) the following proviso shall be added, namely :— “ Provided that, the procedure specified in sections 4 to 15 (both inclusive) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 shall not be applicable in respect of such lands.”.	30 of 2013.
Amendment of section 126 of Mah. XXXVII of 1966.	6. In section 126 of the principal Act,— (i) in sub-section (1),— (a) in clause (b), for the words and figures “ on the basis of the principles laid down in the Land Acquisition Act, 1894 ” the words and figures “on the basis of the principles laid down in the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ” shall be substituted;	I of 1894. 30 of 2013.
	(b) in clause (c), for the words and figures “ under the Land Acquisition Act, 1894 ” the words and figures “ under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ” shall be substituted ;	I of 1894. 30 of 2013.
	(c) for the words “ or under the Land Acquisition Act, 1894 ” the words and figures “ or under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ” shall be substituted;	I of 1894. 30 of 2013.
	(ii) in sub-section (2), for the words and figures “ in the manner provided in section 6 of the Land Acquisition Act, 1894 ” the words and figures “ in the manner provided in section 19 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ” shall be substituted;	I of 1894. 30 of 2013.

(iii) in sub-section (3), for the word and figure "section 6" the word and figures "section 19" shall be substituted;

I of 1894. 30 of 2013. (iv) in sub-section (4), for the words and figures "under the Land Acquisition Act, 1894" the words and figures "under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013" shall be substituted.

7. In section 127 of the principal Act, in sub-section (1), for the words "twelve months" the words "twenty-four months" shall be substituted.

Amendment of section 127 of Mah. XXXVII of 1966.

8. In section 128 of the principal Act,—

I of 1894. 30 of 2013. (i) in sub-section (1), for the words and figures "under the provisions of the Land Acquisition Act, 1894" the words and figures "under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013" shall be substituted;

Amendment of section 128 of Mah. XXXVII of 1966.

I of 1894. 30 of 2013. (ii) in sub-section (2), for the words and figures "under the Land Acquisition Act, 1894", at both the places where they occur, the words and figures "under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013" shall be substituted;

I of 1894. 30 of 2013. (iii) in sub-section (3), for the words and figures "section 16 or 17 of the Land Acquisition Act, 1894" the words and figures "section 38 or 40 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013" shall be substituted.

9. In section 129 of the principal Act,—

(i) in sub-section (1),—

(a) for the words "in the public interest by that Authority" the words "for defence of India or national security or for natural calamities or for any other emergency, by that authority with the approval of the State Government" shall be substituted;

Amendment of section 129 of Mah. XXXVII of 1966.

I of 1894. 30 of 2013. (b) in the proviso, for the words and figures "in section 24 of the Land Acquisition Act, 1894" the words and figures "in section 28 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013" shall be substituted;

30 of 2013. (ii) in sub-section (2), for the words and figure "interest at 4 per cent. per annum, on the amount of compensation" the words and figures "interest and other compensation as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013" shall be substituted.

Mah. Ord. XVII of 2015. 10. (1) The Maharashtra Regional and Town Planning (Second Amendment) Ordinance, 2015, is hereby repealed.

Repeal of Mah. Ord. XVII of 2015.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the principal Act, as amended by the said Ordinance, shall be deemed to have been done, taken or, as the case may be, issued under the corresponding provisions of the principal Act, as amended by this Act.