



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ४, अंक ६२(३)]

सोमवार, ऑगस्ट १३, २०१८/श्रावण २२, शके १९४०

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असाधारण क्रमांक १३०

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 Tenancy and Agricultural lands, the Hyderabad Tenancy and Agricultural Lands and the Maharashtra Tenancy and Agricultural Lands (Vidarbha Region) (Amendment) Act, 2018 (Mah. Act No. LVI of 2018), is hereby published under the authority of the Governor.

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

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

MAHARASHTRA ACT No. LVI OF 2018.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 13th August 2018.)

An Act further to amend the Maharashtra Tenancy and Agricultural Lands Act, the Hyderabad Tenancy and Agricultural Lands Act, 1950 and the Maharashtra Tenancy and Agricultural Lands (Vidarbha Region) Act.

LXVII of 1948. Hyd. XXI of 1950. XCIX of 1958. WHEREAS it is expedient further to amend the Maharashtra Tenancy and Agricultural Lands Act, the Hyderabad Tenancy and Agricultural Lands Act, 1950 and the Maharashtra Tenancy and Agricultural Lands (Vidarbha Region) Act, for the purposes hereinafter appearing ; it is hereby enacted in the Sixty-ninth Year of the Republic of India as follows :-

CHAPTER I

PRELIMINARY

Short title
and commen-
cement.

1. (1) This Act may be called the Maharashtra Tenancy and Agricultural Lands, the Hyderabad Tenancy and Agricultural Lands and the Maharashtra Tenancy and Agricultural Lands (Vidarbha Region) (Amendment) Act, 2018.

(2) It shall be deemed to have come into force on the 1st January 2016.

CHAPTER II

AMENDMENTS TO THE MAHARASHTRA TENANCY AND
AGRICULTURAL LANDS ACT.

Amendment
of section 63-
1A of LXVII of
1948.

2. In section 63-1A of the Maharashtra Tenancy and Agricultural Lands Act,—

LXVII of
1948.

(1) in sub-section (1), in the second proviso, for the word “Bombay” the word “Maharashtra” shall be substituted ;

(2) in sub-section (2),—

(a) for the words “one month”, at both places where they occur, the words “ninety days” shall be substituted ;

(b) after the proviso, the following shall be added, namely :—

“ *Explanation.*—While computing the period of ninety days, the period, if any, spent in ascertaining from the office of the Collector the amount to be paid under this sub-section, the Head of account in which it is to be paid or issuing a Challan for that purpose shall be excluded.” ;

(3) after sub-section (5), the following sub-section shall be added, namely :—

“ (6) If a person purchasing the land under sub-section (1) for conversion thereof for a *bona-fide* industrial use, fails to utilize the said land for *bona-fide* industrial purpose, fully or partly, and intends to utilize the same, before the expiry of the total specified period of ten years, for any alternative non-agricultural purpose other than the *bona-fide* industrial use, which is consistent with the draft or final Development Plan or Regional Plan, if any, made under the Maharashtra Regional and Town Planning Act, 1966, so as to put such land to the intended alternative use within the remaining period out of the specified period of ten years from the date of original purchase, he may be permitted by the Collector to do so subject to payment of,—

Mah.
XXXVII
of 1966.

(i) non-utilization charges specified in second proviso to sub-section (1) ;

(ii) conversion charges equal to fifty per cent. of the market value of such land as per the current Annual Statement of Rates published under the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995 ; and

(iii) in case of Occupant-Class II lands, an additional amount equal to forty eight per cent. of the price at which such land was originally purchased, in lieu of the *nazrana* payable to the Government.”.

CHAPTER III

AMENDMENTS TO THE HYDERABAD TENANCY AND
AGRICULTURAL LANDS ACT, 1950.

Hyd.
XXI of
1950.

3. In section 47A of the Hyderabad Tenancy and Agricultural Lands Act, 1950,—

Amendment
of section 47A
of Hyd. XXI of
1950.

(1) in sub-section (1), in the second proviso, for the word “Bombay” the word “Maharashtra” shall be substituted ;

(2) in sub-section (2),—

(a) for the words “one month”, at both places where they occur, the words “ninety days” shall be substituted ;

(b) after the proviso, the following shall be added, namely :—

“ *Explanation.*—While computing the period of ninety days, the period, if any, spent in ascertaining from the office of the Collector the amount to be paid under this sub-section, the Head of account in which it is to be paid or issuing a Challan for that purpose shall be excluded.” ;

(3) after sub-section (5), the following sub-section shall be added, namely :—

“ (6) If a person purchasing the land under sub-section (1) for conversion thereof for a *bona-fide* industrial use, fails to utilize the said land for *bona-fide* industrial purpose, fully or partly, and intends to utilize the same, before the expiry of the total specified period of ten years, for any alternative non-agricultural purpose other than the *bona-fide* industrial use, which is consistent with the draft or final Development Plan or Regional Plan, if any, made under the Maharashtra Regional and Town Planning Act, 1966, so as to put such land to the intended alternative use within the remaining period out of the specified period of ten years from the date of original purchase, he may be permitted by the Collector to do so subject to payment of,—

(i) non-utilization charges specified in second proviso to sub-section (1) ;

(ii) conversion charges equal to fifty per cent. of the market value of such land as per the current Annual Statement of Rates published under the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995 ; and

(iii) in case of Occupant-Class II lands, an additional amount equal to forty eight per cent. of the price at which such land was originally purchased, in lieu of the *nazrana* payable to the Government.”.

CHAPTER IV

AMENDMENTS TO THE MAHARASHTRA TENANCY AND
AGRICULTURAL LANDS (VIDARBHA REGION) ACT.

XCIX of
1958.

4. In section 89A of the Maharashtra Tenancy and Agricultural Lands (Vidarbha Region) Act,—

Amendment
of section 89A
of XCIX of
1958.

(1) in sub-section (1), in the second proviso, for the word “Bombay” the word “Maharashtra” shall be substituted ;

(2) in sub-section (2),—

(a) for the words “one month”, at both places where they occur, the words “ninety days” shall be substituted ;

(b) after the proviso, the following shall be added, namely :—

“ *Explanation.*—While computing the period of ninety days, the period, if any, spent in ascertaining from the office of the Collector the amount to be paid under this sub-section, the Head of account in which it is to be paid or issuing a Challan for that purpose shall be excluded.” ;

(3) after sub-section (5), the following sub-section shall be added, namely :—

“ (6) If a person purchasing the land under sub-section (1) for conversion thereof for a *bona fide* industrial use, fails to utilize the said land for *bona fide* industrial purpose, fully or partly, and intends to utilize the same, before the expiry of the total specified period of ten years, for any alternative non-agricultural purpose other than the *bona fide* industrial use, which is consistent with the draft or final Development Plan or Regional Plan, if any, made under the Maharashtra Regional and Town Planning Act, 1966, so as to put such land to the intended alternative use within the remaining period out of the specified period of ten years from the date of original purchase, he may be permitted by the Collector to do so subject to payment of,—

Mah.
XXXVII
of 1966.

(i) non-utilization charges specified in second proviso to sub-section (1) ;

(ii) conversion charges equal to fifty per cent. of the market value of such land as per the current Annual Statement of Rates published under the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995 ; and

(iii) in case of Occupant-Class II lands, an additional amount equal to forty eight per cent. of the price at which such land was originally purchased, in lieu of the *nazrana* payable to the Government.”.