



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष २, अंक ५६(३)]

सोमवार, ऑगस्ट २२, २०१६/श्रावण ३१, शके १९३८

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असाधारण क्रमांक ८९

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 (Fourth Amendment) Act, 2016 (Mah. Act No. XXIX of 2016), is hereby published under the authority of the Governor.

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

PRAKASH H. MALI,
Principal Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XXIX OF 2016.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 22nd August 2016).

An Act 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-seventh Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Land Revenue Code Short title. (Fourth Amendment) Act, 2016.

Mah. XLI of 1966. 2. To section 295 of the Maharashtra Land Revenue Code, 1966 Amendment of section 295 of Mah. XLI of 1966. (hereinafter referred to as "the said Code"), the following proviso shall be added and shall be deemed to have been added with effect from the date of commencement of the said Code, namely :—

"Provided that, all leases granted by the State Government or the Collector of the land or foreshore vested in the Government for

whatever term, which were in existence on or before the date of commencement of this Code or were granted thereafter, shall notwithstanding the conditions stipulated in such lease-deeds or lease-agreements or Grant orders executed by the Collector, be also subject to the following conditions, namely :—

(i) Leasehold rights in respect of the lands or foreshore vested in the Government given on lease may be further assigned or transferred only with the prior permission of the Collector on payment of such premium on account of unearned income and transfer fees or charges, at such rates as may be specified by the Government by an order, from time to time.

(ii) In the case of any contravention of the provisions of sub-clause (i), the lessee or transferor of such leasehold rights, shall be liable to pay penalty in addition to such premium and transfer fees or charges, at such rates as may be specified by the Government by an order, from time to time.”.

Validation **3.** Notwithstanding anything contained in the said Code or in any rules made thereunder or in any judgment, decree or order of any court, tribunal or any other authority, any levy, demand and collection of premium on account of unearned income and transfer fees or charges or penalty by the Government during the period commencing from the date of coming into force of the said Code and ending on the date of commencement of the Maharashtra Land Revenue Code (Fourth Amendment) Act, 2016 (hereinafter referred to as “the date of commencement of the Amendment Act of 2016”), on further assignment or transfer of leasehold rights by the lessee or transferor of such leasehold rights in respect of the lands or foreshore vesting in the Government given on lease, with or without prior permission of the Collector and any action taken by the Government therefor, shall be deemed to have been validly levied, demanded, collected or taken and shall be deemed always to have been validly levied, demanded, collected or taken under the said Code, as amended by the Maharashtra Land Revenue Code (Fourth Amendment) Act, 2016 and, accordingly, no suit, prosecution or other legal proceedings shall lie in any court or before any tribunal or other authority on the ground that, the provisions of the said Code, prior to the date of commencement of the Amendment Act of 2016, did not provide for levy, demand and collection of such premium and transfer fees or charges or penalty or action by the Collector. No suit, prosecution or other legal proceedings shall lie or be maintained or continued in any court or before any tribunal or other authority, for the refund of any such premium and transfer fees or charges or penalty so levied, demanded, collected or for any action taken with effect from the date of coming into force of the said Code.

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