



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष २, अंक ४७]

मंगळवार, डिसेंबर २१, २०१०/अग्रहायण ३०, शके १९३२

[पृष्ठे ३, किंमत : रुपये १९.००

असाधारण क्रमांक ९२

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी 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 (Amendment and Validation) Act, 2010 (Mah. Act No. XXIX of 2010), is hereby published under the authority of the Governor.

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

H. B. PATEL,
Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XXIX OF 2010.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 21st December 2010.)

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 ;

Mah.
XXXVII
of 1966.

and, therefore, promulgated the Maharashtra Regional and Town Planning (Amendment and Validation) Ordinance, 2010, on the 21st September 2010 ;

Mah.
Ord.
XIII of
2010.

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

Short title
and
commence-
ment.

1. (1) This Act may be called the Maharashtra Regional and Town Planning (Amendment and Validation) Act, 2010.

(2) It shall be deemed to have come into force on the 21st September 2010.

Amendment
of section 22
of Mah.
XXXVII of
1966.

2. In section 22 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the principal Act"), in clause (m), for the words "including imposition of", the following shall be substituted and shall be deemed to have been substituted, with effect from the 11th January 1967, namely :—

Mah.
XXXVII
of
1966.

"including imposition of fees, charges and premium, at such rate as may be fixed by the State Government or the Planning Authority, from time to time, for grant of an additional Floor Space Index or for the special permissions or for the use of discretionary powers under the relevant Development Control Regulations, and also for imposition of".

Validation.

3. Notwithstanding anything contained in the principal Act, or in any rules or regulations made thereunder or in the Development plan or in any judgement, decree or order of any court, tribunal or other authority, any levy and collection of fees, charges and premium by the State Government or the Planning Authority for grant of an additional Floor Space Index or for the special permissions or for the use of discretionary powers under the provisions of the principal Act, or any rules or regulations made thereunder, prior to the date of commencement of the Maharashtra Regional and Town Planning (Amendment and Validation) Act, 2010, shall be deemed to be validly levied and collected, and shall be deemed always to have been validly levied and collected, under the regulations made under section 22 of the principal Act, as amended by the said Act, 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 principal Act or the Development plan prepared thereunder, prior to such commencement, did not provide for making of the regulations regarding levy and collection of such fees, charges and premium by the State Government or the Planning Authority. 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 fees, charges and premium, so levied and collected.

Mah.
XXIX
of
2010.

Mah.
Ord.
XIII of
2010.

4. (1) The Maharashtra Regional and Town Planning (Amendment and Validation) Ordinance, 2010, is hereby repealed.

Repeal of
Mah. Ord.
XIII of 2010
and saving.

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

