



## महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

वर्ष ६, अंक ४६]

मंगळवार, डिसेंबर २३, २०१४/पौष २, शके १९३६

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असाधारण क्रमांक ११२

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) Act, 2014 (Mah. Act No. XXXVIII of 2014), is hereby published under the authority of the Governor.

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

M. A. SAYEED,  
Principal Secretary and R.L.A. to Government,  
Law and Judiciary Department.

### MAHARASHTRA ACT No. XXXVIII OF 2014.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 23rd December 2014).

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  
Mah. Ord. Maharashtra Regional and Town Planning (Amendment) Ordinance, 2014, on  
XXXVII of 1966. XV of 2014. the 19th July 2014 ;

AND WHEREAS, it is expedient to replace the said Ordinance by an Act of the State Legislature; it is hereby enacted in the Sixty-fifth 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 (Amendment) Act, 2014.

(2) It shall be deemed to have come into force on the 4th October 2013.

Amendment of section 26 of Mah. XXXVII of 1966.

2. In section 26 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the principal Act"), in sub-section (1), for the third proviso, the following proviso shall be substituted, namely:—

Mah. XXXVII of 1966.

"Provided also that, the period so extended shall not in any case, exceed,—

(i) twenty-four months, in the aggregate, in case of Municipal Corporation having population of one crore or more, as per the latest census figures;

(ii) twelve months, in the aggregate, in case of Municipal Corporation having population of ten lakhs or more but less than one crore, as per the latest census figures; and

(iii) six months, in the aggregate, in any other case."

Amendment of section 30 of Mah. XXXVII of 1966.

3. In section 30 of the principal Act, in sub-section (1), for the proviso, the following proviso shall be substituted, namely:—

"Provided that, the State Government may, on an application by a Planning Authority or the said officer, by an order in writing, and for adequate reasons which shall be recorded, extend from time to time, the said period by such further period as may be specified in the order, but not in any case exceeding,—

(i) twenty-four months, in the aggregate, in case of Municipal Corporation having population of one crore or more, as per the latest census figures;

(ii) twelve months, in the aggregate, in case of Municipal Corporation having population of ten lakhs or more but less than one crore, as per the latest census figures; and

(iii) six months, in the aggregate, in any other case."

Amendment of section 31 of Mah. XXXVII of 1966.

4. In section 31 of the principal Act, in sub-section (1), —

(a) for the first proviso, the following proviso shall be substituted, namely:—

"Provided that, the State Government may, if it thinks fit, whether the said period has expired or not, extend from time to time, by notification in the *Official Gazette*, the period for sanctioning the draft Development plan or refusing to accord sanction thereto, by such further period not exceeding,—

(i) twenty-four months, in the aggregate, in case, the area of such Development plan falls in the jurisdiction of a Metropolitan Planning Committee constituted under the Maharashtra Metropolitan Planning Committees (Constitutions and Functions) (Continuance of Provisions) Act, 1999; Mah. V of 2000.

(ii) twelve months, in the aggregate, in any other case, as may be specified in such notification;"

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

“ Provided also that, if the Government does not publish its decision by notification in the *Official Gazette*, regarding sanctioning the draft Development plan submitted to it, for the whole area, or separately for any part thereof, either without modification, or subject to such modifications as it may consider proper, or return the draft Development plan to the Planning Authority, or as the case may be, the said Officer for modifying the plan as it may direct or refuse to accord sanction and direct the Planning Authority or the said Officer to prepare a fresh Development plan, within the period under this section, such draft Development plan shall be deemed to have been sanctioned as submitted to the Government under section 30, on the date immediately following the date of expiry of the period under this section :

Provided also that, where any modification submitted by the Planning Authority or, as the case may be, the said Officer, under section 30 is of substantial nature with respect to the draft Development plan published under section 26, such modification shall not be deemed to have been sanctioned and the Government shall publish a notice regarding such modifications of substantial nature and the provisions relating to publication of the notice in the *Official Gazette* and two local newspapers for obtaining suggestions and objections as stipulated in the second proviso, shall apply.”

5. In section 148-A of the principal Act, after the words “due to any interim order of any court”, the words “or due to enforcement of any Code of conduct by the Election Commission of India or the State Election Commission in respect of any election” shall be inserted.

Amendment of section 148-A of Mah. XXXVII of 1966.

Mah. Ord. XV of 2014.

6. (1) The Maharashtra Regional and Town Planning (Amendment) Ordinance, 2014, is hereby repealed.

Repeal of Mah. Ord. XV of 2014 and saving.

(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.