



महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

वर्ष १०, अंक ४(२)]

शुक्रवार, जानेवारी १९, २०२४/पौष २९, शके १९४५

[पृष्ठ ३, किंमत : रुपये २७.००

असाधारण क्रमांक ८

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 Agricultural Lands (Ceiling on Holdings) (Amendment) Act, 2023 (Mah. Act No. VI of 2024), is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,
Secretary (Legislation) to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. VI OF 2024.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 19th January 2024).

An Act further to amend the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961.

Mah. WHEREAS it is expedient further to amend the Maharashtra Agricultural
XXVII Lands (Ceiling on Holdings) Act, 1961, for the purposes hereinafter appearing; it
of 1961. is hereby enacted in the Seventy-fourth Year of the Republic of India, as
follows :—

1. This Act may be called the Maharashtra Agricultural Lands (Ceiling on Holdings) (Amendment) Act, 2023. Short title.

Amendment
of section
28-1AA of
Mah. XXVII
of 1961.

2. In section 28-1AA of the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961 (hereinafter referred to as "the principal Act"), –

Mah.
XXVII
of
1961.

(1) after sub-section (3), the following sub-section shall be inserted, namely:—

“(3-1A) Notwithstanding anything contained in this section and section 29,—

(a) if the lands leased by a person to the industrial undertaking were Class-I occupancy lands then the lands granted to such person or his legal heirs under sub-section (3) on Class-II occupancy shall be deemed to have been granted on Class-I occupancy, without charging any premium therefor ;

(b) if the lands leased by a person to the industrial undertaking were Class-II occupancy lands, then the lands granted to such person or his legal heirs under sub-section (3) on Class-II occupancy may be converted into Class-I occupancy, if the relevant Act applicable to such lands or rules framed thereunder provides for such conversion, as per the provisions of the said Acts and rules.”;

(2) for sub-section (3A), the following sub-section shall be substituted, namely:—

“(3A) Notwithstanding anything contained in sub-section (3), the State Government may dispose of the lands vested in the Maharashtra State Farming Corporation Limited, for a public purpose to the Government or Semi-Government Institution or Municipal Corporation, Municipal Council, *Nagar Panchayat* or *Village Panchayat* at the rates fixed by the State Government on such terms and conditions as may be specified by it, by special or general order issued in this behalf.

Explanation.— For the purposes of this sub-section, the expression “dispose of the lands for the public purpose” means disposal of land for,—

(a) educational, medical, public health, social welfare or cultural purposes; or any other purpose mentioned in the Development Plan under section 22 of the Maharashtra Regional and Town Planning Act, 1966; or any other public purpose included in sub-section (1) of section 2 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, situated within the vicinity of five kilometers from,—

Mah.
XXXVII
of
1966.
30
of
2013.

(i) the municipal area of a Council or *Nagar Panchayat* as defined in clause (24) of section 2 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965;

Mah.
XL
of
1965.

(ii) the larger urban area specified under sub-section (2) of section 3 of the Maharashtra Municipal Corporations Act; or

LIX
of
1949.

(iii) the boundary of *gaathan* or village site as defined in clause (10) of section 2 of the Maharashtra Land Revenue Code, 1966; and

Mah.
XLI
of
1966.

(b) for rehabilitation of the project affected persons of a public project notified by the Government for this purpose.”.

- 3.** In section 29 of the principal Act, in sub-section (3),—
- (i) in the first proviso, for the words “such amount, as the State Government may, by order published in the *Official Gazette*, specify” the following portion shall be substituted, namely:—
- “an amount of seventy five per cent., of the market value of such land ascertained as per the current Annual Statement of Rates published under the provisions of the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995.”;
- (ii) the second proviso shall be deleted.
- 4.** After section 29 of the principal Act, the following section shall be inserted, namely:—
- “**29A.** Notwithstanding anything contained in section 29, the Collector may convert lands granted under section 27 on Class-II occupancy into Class-I occupancy,—
- (i) after lapse of ten years from the date of grant of such land; and
- (ii) if there is no breach of any of the conditions for grant of such land; or if there is a breach of any of such conditions, then after regularization of such breach,
- on payment of such conversion premium and after following such procedure and subject to such other terms and conditions as may be prescribed.”.
- 5.** Section 40A of the principal Act shall be deleted.
- 6.** In section 46 of the principal Act, in sub-section (2), after clause (e), the following clause shall be inserted, namely:—
- “(e-1) conversion premium for conversion of Class-II occupancy lands into Class-I occupancy under section 29A and procedure and other terms and conditions therefor;”.
- 7.** (1) If any difficulty arises in giving effect to the provisions of the principal Act, as amended by this Act, the State Government may, as occasion arises, by an order published in the *Official Gazette*, do anything not inconsistent with the provisions of the principal Act, as amended by this Act, which appears to it to be necessary or expedient for the purpose of removing the difficulty:
- Provided that, no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.
- (2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before each House of the State Legislature.

Amendment of section 29 of Mah. XXVII of 1961.

Insertion of new section 29A in Mah. XXVII of 1961.

Conversion of Occupancy of land granted under section 27.

Deletion of section 40A of Mah. XXVII of 1961.

Amendment of section 46 of Mah. XXVII of 1961.

Power to remove difficulty.