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शुक्रवार, डिसेंबर ८, १९७८/अग्रहायण १७, शके १९००

**MAHARASHTRA LEGISLATURE SECRETARIAT**

The following Bill was introduced in the Maharashtra Legislative Assembly on 8th December 1978 :—

**L. A. BILL No. XL OF 1978.**

***A BILL***

*further to amend the Maharashtra Housing and Area Development Act, 1976*

Mah. XXV-III of 1977. WHEREAS, it is expedient further to amend the Maharashtra Housing and Area Development Act, 1976, for the purposes hereinafter appearing; It is hereby enacted in the Twenty-ninth Year of the Republic of India as follows :

1. (1) This Act may be called the Maharashtra Housing and Area Development (Amendment) Act, 1978. Short title and commencement.

(2) It shall be deemed to have come into force from 9th October 1969.

Insertion of  
new section  
91A in Bom.  
XXVIII of  
1977.

2. In the Maharashtra Housing and Area Development Act, 1976, after section 91, the following new section shall be inserted, viz. :—

“91A. If a person dies, or receives injuries or is disabled or is rendered homeless as a result of building collapse, during repairs by the board or otherwise, the board within whose jurisdiction, the building is situated, shall pay compensation at the following rates :—

(1) in case of death, the legal representatives of the deceased—rupees ten thousand ;

(2) if a person loses any of his limbs or incurs disability of a permanent nature—rupees five thousand ;

(3) if a person receives any other injury—rupees two thousand ;

(4) if a person or a family is rendered homeless—rupees one thousand.”.

### STATEMENT OF OBJECTS AND REASONS

Under section 82 of the Maharashtra Housing and Area Development Act, 1976, cess is levied on all buildings which come under the purview of this Act. However no provision has been made in the Act to pay compensation to persons who are injured or rendered homeless or to pay compensation to the next of kin of persons who die in such building collapse. Since cess is being collected as a matter of compulsion it is the duty of the Authority to maintain buildings, for which cess is paid, in proper condition. As the house collapse proves the lack of proper maintenance on the part of the Authority it is obvious that it be made responsible to pay reasonable penalty for its default. On humanitarian grounds also the affected persons need to be helped. It is also proposed to give retrospective effect from October 1969 as the original Act was published in October 1969. The Bill seeks to achieve the above objects.

Bombay, dated the 19th September 1978.

RAMDAS NAYAK,  
Member-in-charge.

Nagpur, dated the 8th December 1978.

G. S. NANDE,  
Secretary,

Maharashtra Legislative Assembly.