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शनिवार, नोव्हेंबर ११, १९७८/कार्तिक २०, शके १९००

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The following Bill is published under the second proviso to rule 115 (1) of the Maharashtra Legislative Assembly Rules :—

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

***A BILL***

*to extend the duration of the Maharashtra Ownership Flats (Regulation of the promotion of construction, sale, management and transfer) Act, 1963.*

Mah. WHEREAS, it is expedient to extend the duration of the Maharashtra Ownership  
XLV Flats (Regulation of the promotion of construction, sale, management and transfer)  
of Act, 1963; It is hereby enacted in the Twenty-ninth Year of the Republic of India as  
1963. follows :—

1. This Act may be called the Maharashtra Ownership Flats (Regulation of the Short title.  
promotion of construction, sale, management and transfer) (Extension of Duration)  
Act, 1978.

Amendment of section 1 of Mah. XLV of 1963. 2. In section 1 of the Maharashtra Ownership Flats (Regulation of the promotion of construction, sale, management and transfer) Act, 1963, in sub-section (4), for the figures " 1979 " the figures " 1981 " shall be substituted. Mah. XLV of 1963

STATEMENT OF OBJECTS AND REASONS.

The Maharashtra Ownership Flats (Regulation of the promotion of construction, sale, management and transfer) Act, 1963 (Mah. XLV of 1963), is enacted with a view to checking the malpractices in the trade of construction, sale, management and transfer of ownership flats and to safeguard the legitimate rights and interests of the flat purchasers. The Act has been applied so far to the Greater Bombay area, cities like Pune, Thane and certain areas in Pune and Thane Districts. The duration of the Act has on account of its usefulness been extended and suitable amendments have been made therein, from time to time. The Act is now due to expire on the 31st March 1979.

2. The problems arising out of acute shortage of housing still persist and the system of ownership flats has in that context come to stay. The Act is serving useful purpose in checking malpractices by the builders/promoters and in protecting the interests of the flat purchasers. The need for the continuance of the Act, therefore, still exists. The provisions of the Act are being examined by Government in the light of its working in the past with a view to finding out what amendments should be made therein to make it more effective and useful. Some more time will be required for the completion of the scrutiny and for undertaking the necessary comprehensive legislation for the purpose. In the meanwhile, it is proposed by this Bill to extend the duration of the existing Act for the present by a further period of two years upto 31st March 1981.

BHAUSAHEB S. SURVE,

Minister for Housing.

Dated the 11th day of November 1978.

## FINANCIAL MEMORANDUM.

Under section 5 of the Maharashtra Ownership Flats (Regulation of the promotion of construction, sale, management and transfer) Act, 1963, every promoter has to maintain separate accounts of sums taken as advance or deposit from the intending purchasers of flats and to disburse them for purposes for which they are given. Under the said section 5, Government is required to appoint an officer who is authorised to call upon any promoter to make a full and true disclosure of all transactions in respect of such accounts. Government had appointed a Special Officer and one assistant for this work upto the end of the year 1972. From January 1973 to 30th June 1975, the Under Secretary to Government in the Urban Development, Public Health and Housing Department, in charge of Housing, and from 1st July 1975 onwards the Under Secretary to Government in the Public Works and Housing Department, in charge of Housing, was appointed by Government to be the officer for the purposes of this section. The Under Secretary himself investigates the complaints received from the flat purchasers for breach of section 5, as part of his duties. Hence, no extra expenditure is now involved on account of the officer appointed under section 5.