

गुरुवार, डिसेंबर १४, १९७८/अग्रहायण २३, शके १९००

MAHARASHTRA LEGISLATURE SECRETARIAT

The following Bill was introduced in the Maharashtra Legislative Assembly on 14th December 1978:—

L. A. BILL No. LIX OF 1978.

A BILL

to amend the Maharashtra Vacant Lands (Prohibition of Unauthorised Occupation and Summary Eviction) Act, 1975.

WHEREAS it is expedient further to amend the Maharashtra Vacant Lands (Prohibition of Unauthorised Occupation and Summary Eviction) Act, 1975, 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 Vacant Lands (Prohibition of Unauthorised Occupation and Summary Eviction) (Amendment) Act, 1978. Short title and commencement.

(2) It shall be deemed to have come into force from 3rd August, 1976.

Amendment
of section 3
of Mah.
LXVI of
1975.

2. In the proviso to section 3 of the Maharashtra Vacant Lands (Prohibition of Unauthorised Occupation and Summary Eviction) Act, 1975, after the words "such reasonable amount by way of penal charges" the words "not exceeding the amount of rent or compensation which the occupier was paying or twenty paise per square metre, per month whichever is less," shall be inserted.

STATEMENT OF OBJECTS AND REASONS

The Maharashtra Vacant Lands (Prohibition of Unauthorised Occupation and Summary Eviction) Act, 1975 has come into force in Bombay Metropolitan Region on 11th November 1975. It was amended by Maharashtra Act, No. XXXVII of 1976 which came into force on 3rd August 1976. Under this amending Act, Government has taken powers under proviso to section 3 to receive or collect from the occupier of the vacant land such reasonable amount by way of penal charges as may be determined by general or special order, by the State Government. Under this authority, the penal charges are being levied against the occupier at an exorbitant rate, so as to exceed the limits of reasonableness.

The occupiers of vacant lands are generally persons without sufficient means of livelihood. They occupy lands which belong either to private persons or to Government or Government Corporations or Municipal Corporations, etc., out of sheer physical necessity. The lands which when occupied might have belonged to private persons might have subsequently vested in Government or the Municipal Corporation, etc., by operation of law. If initially the occupier occupied the land belonging to a private person, the landlord or somebody else might have charged exorbitant rent or compensation.

The Government have adopted certain measures to control the prices of vacant lands and rents and compensation for occupation thereof. In consonance with the said policy of the Government, it is necessary to set a limit to the penal charges to be levied against the occupiers of vacant lands. The Bill seeks to achieve the said object.

Council Hall:
Nagpur, dated the 6th December 1978.

A. T. PATIL,
Member-in-charge.

Nagpur, dated 14th December 1978.

G. S. NANDE,
Secretary,
Maharashtra Legislative Assembly.