



# महाराष्ट्र शासन राजपत्र

असाधारण  
प्राधिकृत प्रकाशन

सोमवार, मार्च १३, २००६/फाल्गुन २२, शके १९२७

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

## भाग आठ

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) Bill, 2006 (L. A. Bill No. XII of 2006) introduced in the Maharashtra Legislative Assembly on the 13th March 2006, is hereby published under the authority of the Governor.

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

A. M. SHINDEKAR,  
Secretary to Government,  
Law and Judiciary Department.

### L. A. BILL No. XII OF 2006.

#### A BILL

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

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 Agricultural Lands (Ceiling on Holdings) Act, 1961, for the purposes hereinafter appearing ; and, therefore, promulgated the Maharashtra Agricultural Lands (Ceiling-on Holdings) (Amendment) Ordinance, 2006, on the 17th February 2006 ;

Mah.  
XXVII  
of  
1961.  
Mah.  
Ord.  
III of  
2006.

(५०)

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature; it is hereby enacted in the Fifty-seventh Year of the Republic of India as follows:—

Short title  
and  
commence-  
ment.

1. (1) This Act may be called the Maharashtra Agricultural Lands (Ceiling on Holdings) (Amendment) Act, 2006.

(2) It shall be deemed to have come into force on the 17th February 2006.

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"), in sub-section (3), after the second proviso, the following proviso shall be added, namely:—

"Provided also that, a person who had not applied for grant of such land within the period of 90 days from the date of commencement of the Maharashtra Agricultural Lands (Ceiling on Holdings) (Amendment) Act, 2001, or who has applied for grant of such land after the said period, shall be eligible for grant of such land if he applies for grant of such land within a period of 90 days from the date of commencement of the Maharashtra Agricultural Lands (Ceiling on Holdings) (Amendment) Act, 2006."

Mah.  
XVII  
of  
2003.  
Mah.  
of  
2006.

Repeal of  
Mah. Ord.  
III of 2006  
and saving.

3. (1) The Maharashtra Agricultural Lands (Ceiling on Holdings) (Amendment) Ordinance, 2006, is hereby repealed.

Mah.  
Ord.  
III of  
2006.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done, or taken, under the corresponding provisions of the principal Act, as amended by this Act.

## STATEMENT OF OBJECTS AND REASONS

Section 28-1AA of the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961 (Mah. XXVII of 1961), was amended by the Maharashtra Agricultural Lands (Ceiling on Holdings) (Amendment) Act, 2001 (Mah. XVII of 2003), thereby empowering the State Government to grant a part of the surplus land to the ex-lessors (*Khandakaris*) (not being a public trust), who previously leased their lands to an Undertaking, for their personal cultivation, subject to such terms and conditions as may be specified in that behalf. However, under the said sub-section (3), the ex-lessors were required to make an application to the competent authority for grant of such lands within a period of 90 days from the commencement of the said Maharashtra Act No. XVII of 2003, i.e. the 20th May 2003. In the meantime, due to the "Status Quo" order from the Aurangabad Bench of the Hon'ble Bombay High Court, for grant of land to the ex-lessors, most of the ex-lessors could not submit the applications for grant of the land to the competent authority within the stipulated period. Consequently, the purpose of the Government to amend the said Act could not be served. Since, then recently, the Hon'ble High Court had disposed of the Civil Application, the Government considered it expedient to give an opportunity to the ex-lessors for submitting their applications for grant of land, by amending the said section 28-1AA, suitably.

2. As both Houses of the State Legislature were not in session and the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961, for the purposes aforesaid, the Maharashtra Agricultural Lands (Ceiling on Holdings) (Amendment) Ordinance, 2006 (Mah. Ord. III of 2006), was promulgated by the Hon'ble Governor of Maharashtra on the 17th February 2006.

3. The Bill is intended to replace the said Ordinance by an Act of the State Legislature.

Mumbai,  
Dated the 8th March 2006.

NARAYAN RANE,  
Minister for Revenue.