



महाराष्ट्र शासन राजपत्र

असाधारण
प्राधिकृत प्रकाशन

गुरुवार, मार्च २९, २००७/चैत्र ८, शके १९२९

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 Land Revenue Code (Amendment) Bill, 2007 (L. A. Bill No. VII of 2007), introduced in the Maharashtra Legislative Assembly on the 29th March 2007, 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. VII OF 2007.

A BILL

further to amend the Maharashtra Land Revenue Code, 1966.

Mah. WHEREAS it is expedient further to amend the Maharashtra Land
XLI Revenue Code, 1966, for the purposes hereinafter appearing; it is
of hereby enacted in the Fifty-eighth Year of the Republic of India as
1966. follows :—

1. (1) This Act may be called the Maharashtra Land Revenue Code (Amendment) Act, 2007.

(2) It shall come into force on the 1st August 2007.

Short title
and
commence-
ment.

(१३६)

Amendment of section 42 of Mah. XLI of 1966. 2. Section 42 of the Maharashtra Land Revenue Code, 1966 (hereinafter referred to as "the said Code"), shall be re-numbered as sub-section (1) thereof and after the said sub-section (1) as so re-numbered, the following sub-section shall be added, namely:—

"(2) Notwithstanding anything contained in sub-section (1), no such permission shall be necessary for conversion of use of any agricultural land for the personal *bona fide* residential purpose in non-urban area, excluding,—

(a) the area mentioned in clause (2) of the *Explanation* to section 47A, as a peripheral area of the Municipal Corporation or the Municipal Council ;

(b) the areas falling within the control line of the National Highways, State Highways, District Roads or Village Roads ;

(c) the areas notified as the Eco-sensitive Zone by the Government of India. "

Amendment of section 44 of Mah. XLI of 1966. 3. In section 44 of the said Code, in sub-section (1), for the portion beginning with the words "If an occupant" and ending with the words "for a non-agricultural purpose, or", the following shall be substituted, namely:—

"Subject to the provisions of sub-section (2) of section 42, if an occupant of unalienated land or a superior holder of alienated land or a tenant of such land—

(a) which is assessed or held for the purpose of agriculture, wishes to use it for a non-agricultural purpose, or".

Amendment of section 117 of Mah. XLI of 1966. 4. In section 117 of the said Code, after clause (5), the following clause shall be inserted, namely:—

"(5a) agricultural lands in non-urban area used for personal *bona fide* residential purpose under sub-section (2) of section 42 ;".

STATEMENT OF OBJECTS AND REASONS.

Section 42 of the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966), *inter-alia*, provides that no land used for agricultural purpose shall be used for any non-agricultural purpose except with the permission of the Collector. Similarly, as per the provisions of section 109 of the said Code, if any agricultural land is used for non-agricultural purpose, the non-agricultural assessment in respect of such land is assessed at the rate fixed for the non-agricultural assessment.

2. There has been a persistent demand from the public that the requirement of non-agricultural permission in the non-urban areas, when the agricultural land is used for residential purpose, should be done away with and the non-agricultural assessment should not be levied in respect of any such agricultural land used for personal *bona fide* residential purpose. The State Government has, therefore, considered this demand and decided to exclude the rural areas from requirement of such non-agricultural permission; and also to exempt such agricultural land from payment of the non-agricultural assessment, if the conversion of use of agricultural land is for personal *bona fide* residential purpose only. For that purpose, the Government considers it expedient to amend sections 42, 44 and 117 of the said Code, suitably.

3. The Bill seeks to achieve the above objectives.

Mumbai.
Dated the 28th March 2007.

NARAYAN RANE,
Minister for Revenue.

**GOVERNOR'S RECOMMENDATION UNDER ARTICLE 207
OF THE CONSTITUTION OF INDIA**

**(Copy of Government of Maharashtra Order, Law and
Judiciary Department)**

In exercise of the powers conferred upon him by clause (1) of Article 207 of the constitution of India, the Governor of Maharashtra is pleased to recommend to the Maharashtra Legislative Assembly, the consideration of the Maharashtra Land Revenue Code (Amendment) Bill, 2007.