सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

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असाधारण क्रमांक ९१

प्राधिकृत प्रकाशन

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 Prevention of Fragmentation and Consolidation of Holdings (Amendment) Bill, 2025 (L.A. Bill No. XCIV of 2025), introduced in the Maharashtra Legislative Assembly on the 8th December 2025, is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,
Secretary (Legislation) to Government,
Law and Judiciary Department.

L. A. BILL No. XCIV OF 2025.

A BILL

further to amend the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act.

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 Prevention of Fragmentation and Consolidation of Holdings Act, for the purposes hereinafter appearing; and, therefore, promulgated the Maharashtra Prevention of Fragmentation and Consolidation of Holdings (Amendment) Ordinance, 2025 on the 3rd November 2025 ;

LXII of 1947.

Mah. Ord. X of 2025.

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

Short title and commencement.

1. (*1*) This Act may be called the Maharashtra Prevention of Fragmentation and Consolidation of Holdings (Amendment) Act, 2025.

(*2*) It shall be deemed to have come into force on the 3rd November 2025.

Amendment of section 8B of LXII of 1947.

2. In section 8B of the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act (hereinafter referred to as "the principal Act"), the proviso shall be deleted. LXII of 1947.

Amendment of section 9 of LXII of 1947.

3. In section 9 of the principal Act,-

(*a*) in sub-section (*3*), the provisos and the *Explanation* shall be deleted;

(*b*) after sub-section (*3*), the following sub-section shall be added, namely :—

"(*4*) Notwithstanding anything contained in this Act, a transfer or partition of a land contrary to the provisions of this Act made on or after the 15th November 1965 and on or before the 15th October 2024, if such land is used or intended to be used for any *bona fide* non-agricultural user and the same is,—

(*a*) in the area within the limits of Municipal Corporations, Municipal Councils and *Nagar Panchayats*; or

(*b*) in the areas designated for residential, commercial, industrial or any other non-agricultural use under the jurisdiction of the Mumbai Metropolitan Region Development Authority established under the Mumbai Metropolitan Region Development Authority Act, 1974, the Metropolitan Region Development Authorities established under the Maharashtra Metropolitan Region Development Authority Act, 2016 and Special Planning Authorities notified under the Maharashtra Regional and Town Planning Act, 1966; or

Mah. IV of 1975.

Mah.III of 2017.

Mah. XXXVII of 1966.

(*c*) in the area for which a Cantonment is constituted under the Cantonment Act, 2006 ; or

41 of 2006.

(*d*) in the areas designated for residential, commercial, industrial or any other non-agricultural use and the areas included in the Growth Centres specified in a draft or final Regional Plan prepared under the Maharashtra Regional and Town Planning Act, 1966, or any other law for the time being in force; or

Mah. XXXVII of 1966.

(*e*) in the 'Peripheral Area' of boundaries of any village, city, or town, designated for residential, commercial, industrial or any other non-agricultural use in the draft or final Regional Plan and to which the Unified Development Control and Promotion Regulations applies,

then such transfer or partition of land shall be deemed to have been regularized without charging any premium therefor.".

Mah. Ord. X of 2025.

Repeal of Mah. Ord. X of 2025 and saving.

4. (*1*) The Maharashtra Prevention of Fragmentation and Consolidation of Holdings (Amendment) Ordinance, 2025, is hereby repealed.

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

STATEMENT OF OBJECTS AND REASONS

The Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act (LXII of 1947) has been enacted to prevent the fragmentation of agricultural holdings and to provide for the consolidation of agricultural holdings in the State for the purpose of better cultivation thereof. The Government under the said Act has notified the minimum area that can be cultivated profitably as a separate plot for each class of land in such local areas known as the standard area. The said Act also provides for restrictions on transfer, partition or lease of fragments *viz*. plot of land of less than standard area.

2. Over the period of time, agricultural lands adjacent to the cities and other developed municipal areas came under residential, commercial or industrial zone specified in any draft or final Regional Plan where non-agricultural use of such lands became permissible. Various transfers or partitions of land contrary to the said Act, have taken place in these areas which has resulted in fragments. However due to restrictions under the said Act, such land transactions could not be recorded in land records. Therefore, the occupants of such fragments could not start intended non-agricultural use of such fragments and get requisite permissions therefor from the authorities, for want of clear title.

3. In order to resolve the said issue, section 8B was incorporated in the said Act in the year 2016 to provide that, the provisions of sections 7, 8 and 8AA are not applicable to land situated within the limits of a Municipal Corporation or a Municipal Council, or a Special Planning Authority or a New Town Development Authority, and also to any land allocated to residential, commercial, industrial or any other non-agricultural use in the draft or final Regional plan prepared under the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966) or any other law for the time being in force. Proviso to section 8B provides that, no person shall transfer such parcel of land unless it is created as a result of sub-division or layout approved by the Planning Authority or the Collector, as the case may be, under the provisions of the Maharashtra Regional and Town Planning Act, 1966 or any other law for the time being in force. However, due to the conditions of approved layout or sub-division, many such fragments could not be covered under the said section 8B.

4. In view of this, the Government has amended section 9 of the said Act to regularise such transactions till the date of commencement of the Maharashtra Act No. LVIII of 2017, on payment of regularisation premium of upto 25 per cent. of the current market value of such land. The Government further reduced this regularisation premium to 5 per cent. of the current market value of such land, by amending the said Act by Maharashtra Act No. V of 2025. However, it was noticed that even after reduction in premium, large number of occupants of such fragments were not coming forward for the regularization.

Therefore, in order to update the record of rights, the Government considered it expedient to suitably amend the said Act to provide for deemed regularisation of such fragments without charging any premium therefor.

5. 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 Prevention of Fragmentation and Consolidation of Holdings Act, for the purposes aforesaid, the Maharashtra Prevention of Fragmentation and Consolidation of Holdings (Amendment) Ordinance, 2025 (Mah. Ord. X of 2025), was promulgated by the Governor of Maharashtra on the 3rd November 2025.

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

Mumbai,
Dated the 20th November 2025.

CHANDRASHEKHAR BAWANKULE,
Minister for Revenue.

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