



महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

शुक्रवार, फेब्रुवारी १७, २००६/माघ २८, शके १९२७

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

भाग आठ

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अप्यादेश व केलेले विनियम आणि द्विधी 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) Ordinance, 2006 (Mah. Ord. III of 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.

[Translation in English of the Maharashtra Agricultural Lands (Ceiling on Holdings) (Amendment) Ordinance, 2006 (Mah. Ord. III of 2006), published under the authority of the Governor.]

REVENUE AND FORESTS DEPARTMENT

Mantralaya, Mumbai 400 032, dated the 17th February 2006.

MAHARASHTRA ORDINANCE No. III of 2006.

AN ORDINANCE

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

WHEREAS both Houses of the State Legislature are not in session ;

AND WHEREAS the Governor of Maharashtra is satisfied that circumstances exist which render 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 ;

Mah.
XXVII
of
1961.

भाग आठ--१२

(३३)

[किंमत : रुपये १.००]

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgate the following Ordinance, namely :—

Short title
and
commencement.

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

(2) It shall come into force at once.

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, 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) Ordinance, 2006.”

Mah.
XXVII
of
1961.

Mah.
XXVII
of
2006.

Mah.
Ord. III
of
2006.

STATEMENT

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 have not submitted 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, recently, the Hon'ble High Court has disposed of the Civil Application, the Government considers 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 are not in session and the Governor of Maharashtra is satisfied that the circumstances exist which render it necessary for him to take immediate action further to amend the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961, for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,
Dated the 14th February 2006.

S. M. KRISHNA,
Governor of Maharashtra.

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

S. S. HUSSAIN,
Principal Secretary to Government.