

L. A. BILL No. XXVII OF 2025.

A BILL

further to amend the Maharashtra Highways Act.

(As passed by the Legislative Assembly on the 21st March, 2025.)

LV of 5 **WHEREAS** it is expedient further to amend the Maharashtra Highways
1955. Act for the purposes hereinafter appearing; it is hereby enacted in the Seventy-
sixth Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Highways (Amendment) Act, Short title.
2025.

LV of 10 2. In section 18 of the Maharashtra Highways Act (hereinafter referred to
1955. “the principal Act”), in sub-section (3), after the proviso, the following provisos Amendment of
shall be added and shall be deemed to have been added with effect from the section 18 of LV
1st March 2025, namely :— of 1955.

“Provided further that, the State Government may extend the said period upto one year, if it is of the opinion that the circumstances exist justifying the same :

Provided also that, any such decision to extend the period shall be recorded in writing and the same shall be notified in the *Official Gazette* and the Land Acquisition Officer shall cause the substance of the notification to be published in two local newspapers, one of which will be in a vernacular language.”.

Saving. **3.** Notwithstanding anything contained in section 18 of the principal Act,—

(1) the notifications issued by the State Government under sub-section (2) of section 15 of the principal Act during the period commencing from the 1st March 2024 and ending on the 31st March 2024, which have ceased to be operative due to lapse of period of one year as per the provisions of sub-section (3) of section 18, shall be deemed to be continued to be operative and in effect,—

(i) from the dates on which they have ceased to be operative ; and

(ii) for a further period of one year from the date of commencement of the Maharashtra Highways (Amendment) Act, 2025 ; and

(2) anything done or any action taken under such notifications, shall be deemed to have been validly and legally done or taken, as per the provisions of the principal Act, and shall not be called in question before any Court or authority on the ground that such notifications are not operative and in effect.

STATEMENT OF OBJECTS AND REASONS

The Maharashtra Highways Act (LV of 1955) is enacted to provide for the restriction of ribbon development along highways, for the prevention and removal of encroachment thereon, for the construction, maintenance and development of highways, for the levy of betterment charges and for certain other matters.

2. Section 15 of the said Act provides that where the State Government is satisfied that for a public purpose any land is required for the building, maintenance, management or operation of a highway or part thereof, it may, by notification in the *Official Gazette*, declare its intention to acquire such land. Section 18 of the said Act provides that the State Government shall, within a period of one year from the date of declaration of its intention to acquire such land, declare, by notification in the *Official Gazette*, that the land should be acquired for the purposes mentioned in section 15. It is further provided in the said section that where in respect of any land, a notification has been published under sub-section (2) of section 15 for its acquisition but no declaration under sub-section (1) has been published within a period of one year from the date of publication of that notification, the said notification shall cease to have any effect.

3. However, due to increased workload of other urgent Government business, the proceedings before certain land acquisition officers could not be completed within time. Therefore, it is not possible to publish the declaration for land acquisition within a period of one year as provided under section 18 of the said Act in some cases. The Government therefore considers it expedient to amend section 18 of the said Act to empower the State Government to extend the said period of one year for publishing declaration if the State Government is of the opinion that the circumstances exist justifying the same, on the lines of the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013).

4. In order to continue the operations of the notifications issued during the period from the 1st March 2024 to 31st March 2024, which have ceased to be operative, for a further period upto one year from the date of commencement of the proposed Bill, saving clause is provided in clause 3 of the Bill.

5. The Bill seeks to achieve the above objectives.

Mumbai,

Dated the 19th March, 2025.

EKNATH SHINDE,

Deputy Chief Minister
(Public Works).

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill involves the following proposal for delegation of legislative power, namely :—

Clause 2.—Under this clause, which seeks to insert new provisos in section 18 of the Maharashtra Highways Act, power is taken to the State Government, to notify in the *Official Gazette*, the decision to extend the period of one year within which the declaration of land aquisition is required to be published under said section by further period upto one year.

2. The above-mentioned proposal for delegation of legislative power is of a normal character.

*ANNEXURE TO THE L. A. BILL No. XXVII OF 2025—
THE MAHARASHTRA HIGHWAYS
(AMENDMENT) BILL, 2025.*

(Extracts from the Maharashtra Highways Act, 1955)

(Mah. LV of 1955.)

1. to 17.

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18. (1) Where no objection under sub-section (1) of section 17 has been made to the Land Acquisition Officer within the period specified therein or where the Land Acquisition Officer has disallowed the objection under sub-section (2) of that section, the Land Acquisition Officer shall, as soon as may be, submit a report accordingly to the State Government and on receipt of such report, the State Government shall declare, by notification in the *Official Gazette*, that the land should be acquired for the purpose of purposes mentioned in sub-section (2) of section 15. Declaration of acquisition.

(2) On the publication of such declaration under sub-section (1), the land shall vest absolutely in the State Government free from all encumbrances.

(3) Where in respect of any land, a notification has been published under sub-section (2) of section 15 for its acquisition but no declaration under sub-section (1) has been published within a period of one year from the date of publication of that notification, the said notification shall cease to have any effect :

Provided that, in computing the said period of one year, the period of periods during which any action or proceedings to be taken in pursuance of the notification issued under sub-section (2) of section 15 is stayed by an order of a court shall be excluded.

(4)

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19. to 75.

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SCHEDULE

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**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[L. A. BILL No. XXVII OF 2025.]

**[A Bill further to amend the
Maharashtra Highways Act.]**

**[SHRI EKNATH SHINDE,
Deputy Chief Minister (Public Works).]**

**[As passed by the Legislative Assembly
on the 21st March, 2025.]**

**JITENDRA BHOLE,
Secretary (1) (I/C),
Maharashtra Legislative Assembly.**