

L. A. BILL No. LII OF 2023.

A BILL

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

(As Passed by the Legislative Assembly on the 15th December, 2023.)

(As Passed by the Legislative Council on the 20th December, 2023.)

Mah. XXVII of 1961. WHEREAS it is expedient further to amend the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961, for the purposes hereinafter appearing; it is hereby enacted in the Seventy-fourth Year of the Republic of India, as follows :—

1. This Act may be called the Maharashtra Agricultural Lands (Ceiling on Holdings) (Amendment) Act, 2023. Short title.

2. In section 28-1AA of the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961 (hereinafter referred to as “the principal Act”), –

(1) after sub-section (3), the following sub-section shall be inserted, namely :–

“(3-1A) Notwithstanding anything contained in this section and section 29,–

(a) if the lands leased by a person to the industrial undertaking were Class-I occupancy lands then the lands granted to such person or his legal heirs under sub-section (3) on Class-II occupancy shall be deemed to have been granted on Class-I occupancy, without charging any premium therefor ;

(b) if the lands leased by a person to the industrial undertaking were Class-II occupancy lands, then the lands granted to such person or his legal heirs under sub-section (3) on Class-II occupancy may be converted into Class-I occupancy, if the relevant Act applicable to such lands or rules framed thereunder provides for such conversion, as per the provisions of the said Acts and rules.”;

(2) for sub-section (3A), the following sub-section shall be substituted, namely:–

“(3A) Notwithstanding anything contained in sub-section (3), the State Government may dispose of the lands vested in the Maharashtra State Farming Corporation Limited, for a public purpose to the Government or Semi-Government Institution or Municipal Corporation, Municipal Council, *Nagar Panchayat* or *Village Panchayat* at the rates fixed by the State Government on such terms and conditions as may be specified by it, by special or general order issued in this behalf.

Explanation.- For the purposes of this sub-section, the expression “dispose of the lands for the public purpose” means disposal of land for,–

(a) educational, medical, public health, social welfare or cultural purposes; or any other purpose mentioned in the Development Plan under section 22 of the Maharashtra Regional and Town Planning Act, 1966; or any other public purpose included in sub-section (1) of section 2 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, situated within the vicinity of five kilometers from,–

(i) the municipal area of a Council or *Nagar Panchayat* as defined in clause (24) of section 2 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965;

(ii) the larger urban area specified under sub-section (2) of section 3 of the Maharashtra Municipal Corporations Act; or

(iii) the boundary of *gaathan* or village site as defined in clause (10) of section 2 of the Maharashtra Land Revenue Code, 1966; and

(b) for rehabilitation of the project affected persons of a public project notified by the Government for this purpose.”.

3. In section 29 of the principal Act, in sub-section (3),-

Amendment
of section
29 of Mah.
XXVII of
1961.

(i) in the first proviso, for the words “such amount, as the State Government may, by order published in the *Official Gazette*, specify” the following portion shall be substituted, namely:-

“an amount of seventy five per cent., of the market value of such land ascertained as per the current Annual Statement of Rates published under the provisions of the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995.”;

(ii) the second proviso shall be deleted.

4. After section 29 of the principal Act, the following section shall be inserted, namely:-

Insertion of
new section
29A in
Mah. XXVII
of 1961.

“29A. Notwithstanding anything contained in section 29, the Collector may convert lands granted under section 27 on Class-II occupancy into Class-I occupancy,-

Conversion
of
Occupancy
of land
granted
under
section 27.

(i) after lapse of ten years from the date of grant of such land; and

(ii) if there is no breach of any of the conditions for grant of such land; or if there is a breach of any of such conditions, then after regularization of such breach,

on payment of such conversion premium and after following such procedure and subject to such other terms and conditions as may be prescribed.”.

5. Section 40A of the principal Act shall be deleted.

Deletion of
section 40A
of Mah.
XXVII
of 1961.

6. In section 46 of the principal Act, in sub-section (2), after clause (e), the following clause shall be inserted, namely:-

Amendment
of section
46 of Mah.
XXVII
of
1961.

“(e-1) conversion premium for conversion of Class-II occupancy lands into Class-I occupancy under section 29A and procedure and other terms and conditions therefor;”.

Power to
remove
difficulty.

7. (1) If any difficulty arises in giving effect to the provisions of the principal Act, as amended by this Act, the State Government may, as occasion arises, by an order published in the *Official Gazette*, do anything not inconsistent with the provisions of the principal Act, as amended by this Act, which appears to it to be necessary or expedient for the purpose of removing the difficulty:

Provided that, no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before each House of the State Legislature.

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[L. A. BILL No. LII OF 2023.]

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

**[SHRI RADHAKRISHNA VIKHE-PATIL,
Minister for Revenue.]**

**[As Passed by the Legislative Assembly
on the 15th December, 2023.]**

**[As Passed by the Legislative Council on
the 20th December, 2023.]**

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