



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ९, अंक २९]

सोमवार, जून १९, २०२३/ज्येष्ठ २९, शके १९४५

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असाधारण क्रमांक ४६

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 Regional and Town Planning (Amendment) Ordinance, 2023 (Mah. Ord. III of 2023), 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.

[Translation in English of the Maharashtra Regional and Town Planning (Amendment) Ordinance, 2023 (Mah. Ord. III of 2023), published under the authority of the Governor].

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 19th June 2023.

MAHARASHTRA ORDINANCE No. III OF 2023.

AN ORDINANCE

*further to amend the Maharashtra Regional and
Town Planning Act, 1966.*

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 Regional and Town Planning Act, 1966, for the purposes hereinafter appearing ;

Mah.
XXXVII
of 1966.

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 :—

1. (1) This Ordinance may be called the Maharashtra Regional and Town Planning (Amendment) Ordinance, 2023.

Short title and commencement.

(2) It shall come into force at once.

(१)

Amendment
of section 30
of Mah.
XXXVII of
1966.

2. In section 30 of the Maharashtra Regional and Town Planning Act, Mah. 1966, in sub-section (1), in the proviso, in clause (ii), for the words “ in case of Municipal Corporation ” the words “ in case of Municipal Corporation or Planning Authority, as the case may be, ” shall be substituted. XXXVII of 1966.

STATEMENT

The Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966) is enacted to make provisions for planning the development and use of land in the regions established under the said Act. Chapter III of the said Act provides for the procedure to be followed for declaration of intention, preparation, submission and sanction to Development Plan with a view to ensure that the Town Planning Schemes are made in proper manner and their execution is made effective.

2. The said Act provides for a time-bound programme for all the planning process and if the Planning Authority fails to make the planning within the specified period, the entire process of planning may get lapsed.

3. Section 30 of the said Act provides that, every Planning Authority shall submit the draft Development Plan to the State Government for sanction within a period of six months from the date of publication of the notice in the *Official Gazette*, regarding its preparation under section 26. The proviso to said section 30 provides that, such period may be extended by twenty-four months in the aggregate, in case of Municipal Corporation having population of one crore or more ; and twelve months in the aggregate, in case of Municipal Corporation having population of ten lakhs or more but less than one crore.

4. It is noticed that, for the Planning Authorities having population of ten lakhs or more but less than one crore, it becomes difficult to submit the draft Development Plan to the State Government for sanction within extended period of six months as provided under clause (iii) of the proviso to sub-section (1) of said section 30 and there is possibility that the process of preparation and sanction of draft Development Plan under Chapter III may get lapsed due to short period and ultimately this may affect the development process of areas within the jurisdiction of such Planning Authorities.

It is, therefore, necessary to extend the period for submission of draft Development Plan by Planning Authority to the State Government from six months to twelve months in the aggregate, as applicable to the Municipal Corporation having population of ten lakhs or more but less than one crore, so as to complete the process under Chapter III of the said Act within time. The State Government, therefore, considers it expedient to amend section 30 of the Maharashtra Regional and Town Planning Act, 1966, suitably.

5. As both Houses of the State Legislature are not in session and the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Maharashtra Regional and Town Planning Act, 1966, for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,
Dated the 17th June 2023.

RAMESH BAIS,
Governor of Maharashtra.

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

ASEEM KUMAR GUPTA,
Principal Secretary to Government.