

L. A. BILL No. LXXX OF 2025.

A BILL

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

Mah. 5 WHEREAS it is expedient further to amend the Maharashtra Regional and
XXXVII Town Planning Act, 1966 for the purposes hereinafter appearing; it is hereby
of 1966. enacted in the Seventy-sixth Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Regional and Town Planning Short title.
(Amendment) Act, 2025.

Mah. 2. In section 2 of the Maharashtra Regional and Town Planning Act, 1966 Amendment
XXXVII 10 (hereinafter referred to as “the principal Act”),— of section 2 of
of 1966. Mah. XXXVII

(i) after clause (14), the following clause shall be inserted,
namely :—

15 “(14A) “Local Area plan” means a plan for micro-planning and
development of a specific local area, built or open, which is part of
an area for which draft or final Development plan or Regional plan
exists;”;

(ii) after clause (30), the following clause shall be inserted, namely :—

“(30A) “Structure plan” means a plan for the development of the Regional or Town level roads and Regional or Town level public amenities within any Region or area of any Planning Authority or area of any New Town Development Authority, which is approved by the State Government and has come into operation under this Act; and includes revision of a Structure plan;”.

Amendment of
section 22 of
Mah. XXXVII
of 1966.

3. In section 22 of the principal Act,—

(1) for clause (a), the following clauses shall be substituted, namely :—

“(a) proposals for allocating the use of land for purposes, such as residential including affordable housing, agricultural and recreational, and their integration with transport network; 10

(a-1) proposals for allocating the use of land for purposes, such as industrial and commercial including identification and provision for dedicated economic activities, resources, business districts, markets and trading centers, and their integration with transport network;”;

(2) for clause (d), the following clauses shall be substituted, namely :—

“(d) transport and communications, such as roads, highways, park-ways, railways, water-ways, canals, airports and transportation hubs including their junctions, extension and development; 20

(d-1) mobility plan containing inter-city and intra-city connectivity;”;

(3) after clause (j), the following clause shall be inserted, namely :—

“(j-1) proposal for integrating the existing water bodies, green public spaces, urban forest, lake fronts, river fronts, canal fronts and place making projects;”.

Amendment of
section 27 of
Mah. XXXVII
of 1966.

4. In section 27 of the principal Act,—

(i) after the words “Regional plan”, at both the places where they occur, the words “or Structure plan” shall be inserted;

(ii) in the marginal note, after the words “Regional plan” the words “or Structure plan” shall be inserted. 30

Substitution of
sub-heading (c)
of Chapter III of
Mah. XXXVII of
1966.

5. In Chapter III of the principal Act, under the heading DEVELOPMENT PLAN, for sub-heading (c), the following sub-heading shall be substituted, namely :—

“(c) *Provisions for preparation of interim Development plans, plans for areas of Comprehensive development, Local Area plan, etc.*”.

Insertion of new
sections after
section 33 in
Mah. XXXVII of
1966.

6. After section 33 of the principal Act, the following sections shall be inserted, namely :—

Local Area
plan.

“**33A.** (1) Where the local area for which draft or final Development plan exist, the Planning Authority may, at any time, or when so directed by the State Government, within its jurisdiction, prepare Local Area plan containing proposals for the development of local area which in the opinion of the Planning Authority shall be developed or re-developed as a whole. 40

(2) Where the local area for which draft or final Regional plan exists, any local authority or any agency, company or corporation established by the State Government or Central Government and appointed by the State Government (hereinafter in this section referred to as “the Appointed Authority”), may prepare Local Area plan containing proposals for development of specific area or areas which in the opinion of the State Government shall be developed or re-developed as a whole.

(3) The Local Area plan in particular, shall provide for,—

(a) detail provisions in addition to Development plan or Regional plan or regulations addressing the actual requirements of the area envisaging its micro-planning;

(b) detail development, redevelopment, rejuvenation of specific areas such as urban renewal, transit oriented development, industrial areas, Central Business District through new layouts with enhanced infrastructure;

(c) accesses, road and street pattern including street furniture for the present and future envisaging the uninterrupted traffic and pedestrian circulation;

(d) projection for the future requirements of amenities, services and utilities such as transport, electricity, water, drainage, plantation and landscape, place making, etc.;

(e) proposals and stages of the development program by which it is proposed to execute the Local Area plan;

(f) appropriate estimate of the cost involved in executing the proposals of the Local Area plan;

(g) any other proposals which are necessary for development or redevelopment of the local area.

33B. (1) The Planning Authority or Appointed Authority, as the case may be, shall delineate the boundaries of local area for which Local Area plan is intended to be prepared and decide the objectives of such Local Area plan. The Planning Authority or Appointed Authority, as the case may be, shall by a resolution make declaration of its intention to prepare Local Area plan; and shall publish a notice of such declaration in the *Official Gazette*, and also in one or more local newspapers, inviting suggestions or objections from the public within a period of one month from the date of publication of the notice in the *Official Gazette*. The notice shall state the name of the place where a copy of Local Area plan shall be available for inspection by the public.

(2) After declaration of such intention, the Planning Authority or Appointed Authority, as the case may be, shall prepare the draft Local Area plan after carrying out necessary surveys and collecting required data and analysis thereof and after consultation with land or property owners and any other persons interested therein and concerned Divisional Joint Director of Town Planning.

(3) The Planning Authority or Appointed Authority, as the case may be, shall, not later than six months from the date of notice published under sub-section (1), publish a notice in the *Official Gazette*, and in such other manner as may be determined by it, that the draft Local Area plan has been

Preparation
of Local Area
plan.

prepared and invite suggestions or objections from general public within a period of thirty days from the date of publication of notice in the *Official Gazette*. The notice shall state the name of the place where a copy thereof shall be available for inspection by the public.

(4) The Planning Authority or Appointed Authority, as the case may be, after considering the suggestions and objections received by it, shall submit draft Local Area plan to the State Government, along with a report and list of modifications, if any, proposed therein, for sanction within a period of three months from the date of publication of the notice in the *Official Gazette* under sub-section (3). 5 10

Sanction to
draft Local
Area plan.

33C. (1) The State Government may, not later than three months from the date of receipt of draft Local Area plan from the Planning Authority or Appointed Authority, as the case may be, after consulting the Director of Town Planning by notification in the *Official Gazette*, sanction the draft Local Area plan submitted to it, either without modifications, or subject to such modifications as it may consider proper, or return the draft Local Area plan to the Planning Authority or Appointed Authority, as the case may be, for modifying the plan as it may direct or refuse to accord sanction and direct the Planning Authority or Appointed Authority, as the case may be, to prepare a fresh Local Area plan: 15 20

Provided that, if the State Government does not publish its decision by notification in the *Official Gazette*, regarding sanctioning the draft Local Area plan submitted to it, or any action as contemplated above is not taken within the period specified under this section, such draft Local Area plan shall be deemed to have been sanctioned as submitted to it, and shall come into force on the date immediately following the date of expiry of the period specified under this section. 25

(2) The Local Area plan shall come into force from the date of publication of notification in the *Official Gazette* under sub-section (1) and shall be called the "Final Local Area plan". 30

(3) The draft or final Development plan or Regional plan, as the case may be, shall stand modified to the extent of such final Local Area plan.

Modification
of final Local
Area plan.

33D. (1) The Planning Authority or Appointed Authority, as the case may be, may or when so directed by the State Government or Director of Town Planning, at any time after a final Local Area plan has come into operation, shall make any modification in such plan in the manner hereinafter provided if in its opinion such modification is necessary. 35

(2) For the purpose of modifying a final Local Area plan under sub-section (1), the Planning Authority or Appointed Authority, as the case may be, shall publish a notice in the *Official Gazette* announce its intention to make the modification specified in the notice and invite objections or suggestions from any person with respect to such modification in writing with reasons therefor within such period as may be specified in the notice. The notice shall also be published in at least one newspaper having wide circulation in the area and in such other manner as the Planning Authority or Appointed Authority, as the case may be, may think fit in the circumstances of each case and after considering the objections and suggestions in respect of the draft modification, submit the proposed modifications (with amendments, if any) to the State Government for 40 45

(3) The State Government may approve the modification of the final Local Area plan with such amendments, if any, as it may think fit, or decide not to accord approval and shall publish a notification in the *Official Gazette*, stating that the modification of the Local Area plan specified therein has been approved with or without amendment or has not been approved, as the case may be. In case the modification is approved, then such notification shall also state the place where a copy of modification to the Local Area plan may be inspected at all reasonable hours, and shall specify therein a date on which the modification of the plan shall come into operation.”.

Insertion of
Chapter III-B
after Chapter
III-A in Mah.
XXXVII of 1966.

20 STRUCTURE PLAN

25 **42H.** (1) The State Government may, by notification in the *Official Gazette*, declare its intention to undertake Structure plan in respect of the area within any Region or any area of the Planning Authority or any area of the New Town Development Authority or part thereof under this Act, as the case may be, either on its own or through the Planning Authority, New Town Development Authority, any other statutory authority or an agency owned and controlled by the Central Government or the State Government.

(3) The State Government shall also publish a notice of such declaration in the *Official Gazette*, and also in one or more local newspapers in the prescribed manner.

45 **42I.** The State Government shall, at the time of declaration of intention to prepare Structure plan, appoint an officer not below the rank of the Deputy Director of Town Planning, to be the Town Planning Officer for formulating proposal of a Structure plan of the area within any Region or any Planning Authority or any New Town Development Authority, as the

case may be, considering the interaction of the area under Structure plan with the outside area through National and State highways, district roads, railways, water-ways, airports, etc., as well as regional and town level geographic features like lakes, rivers and nallahs, hills, forest areas, etc.

Contents of
Structure
plan.

42J. A Structure plan shall generally indicate the manner in which the development of land in the area within any Region or any Planning Authority or any New Town Development Authority, as the case may be, shall be carried out respecting the basic structure of the area. In particular, it shall indicate as well as provide so far as may be, necessary for all or any of the following matters, that is to say,—

(a) transport and communications, such as roads, classified roads, railways, water-ways, canals and airports, including their extension and development;

(b) the road infrastructure, other than classified roads, to be indicated and provided shall be as below :—

(i) in case of *Nagar Panchayats* and Non-Municipal Towns, minimum road width of 9 metres and above;

(ii) in case of 'B' and 'C' Class Municipal Councils, minimum road width of 12 metres and above;

(iii) in case of 'A' Class Municipal Councils and 'D' Class Municipal Corporation, minimum road width of 15 metres and above;

(iv) in case of all other Planning Authorities or any New Town Development Authorities or any Region, minimum road width of 18 metres and above.

(c) regional or town level mobility plan containing inter and intra city connectivity;

(d) regional or town level amenities such as water supply, drainage, sewerage, sewage disposal, solid waste management or other public utilities and services including electricity and gas;

(e) preservation, conservation and development of areas of natural endowment and landscape;

(f) regional or town level parks;

(g) other regional or town level public amenities as may be approved by the State Government, from time to time.

42K. (1) The Town Planning Officer shall not later than six months from the date of publication of notice under section 42H, prepare the Structure plan and publish a notice in the *Official Gazette*, and in such other manner as may be determined by him stating that the Structure plan has been prepared. The notice shall state that objections and suggestions are invited from the public within a period of thirty days from the date of publication of notice in the *Official Gazette* :

Provided that, the State Government may, on an application of the Town Planning Officer, by an order in writing, and for reasons to be recorded, extend the period for preparation and publication of notice of Structure plan by a further period of three months.

Preparation and
publication of
notice of draft
Structure plan.

(2) The notice shall state the name of the place where a copy of Structure plan shall be available for inspection by the public. The notice shall also state that copies of the maps, charts and a report explaining the provisions of the Structure plan are available for inspection by the public and certified copies thereof, or extracts therefrom, are also available for sale to the public at a reasonable price at the place so named.

42L. (1) Subject to the provisions of this Act, if within the time allowed under sub-section (1) of section 42K, any person communicates in writing to the Town Planning Officer any suggestion or objection relating to the draft Structure plan, the Town Planning Officer shall forward the suggestions or objections received by him alongwith draft Structure plan to the Planning Committee.

(2) The Director of Town Planning, Maharashtra State shall appoint the Planning Committee within fifteen days from the date of publication of draft Structure plan in the *Official Gazette* under section 42K.

(3) The Planning Committee shall consist of the following members, namely :—

(i) Divisional Joint Director of the Town Planning and Valuation Department;

(ii) District Collector or an officer not below the rank of Deputy Collector nominated by him or administrative head of the Planning Authority or an Officer nominated by him in case of Municipal Corporations or both;

(iii) persons not exceeding two, having special knowledge or practical experience of matters relating to section 42J.

42M. (1) The Planning Committee shall on receipt of objections and suggestions from Town Planning Officer, make such enquiry as it may consider necessary, and give a reasonable opportunity of being heard to any person including representatives of Departments of the State Government who may have filed any objection or made any suggestions in respect of the draft Structure plan.

(2) In case of area within the Planning Authority or New Town Development Authority, as the case may be, the Planning Committee shall, before submitting the draft Structure plan to the State Government, within seven days after the specified thirty days period as mentioned in sub-section (1) of section 42K, forward a copy of all such objections and suggestions to the Planning Authority or New Town Development Authority.

(3) The Planning Authority or New Town Development Authority shall forward its remarks on all such objections and suggestions and its say on draft Structure plan to the Planning Committee within a period of one month from the date of receipt of the copies of such objections and suggestions.

(4) The Planning Committee shall after considering the same, submit its report and list of such modifications or changes and carry out the same in the draft Structure plan, as it may consider proper, to the State Government for sanction within a period of two months from the date of its appointment or by a further extended period as specified by the Director of Town Planning, Maharashtra State, not exceeding one month.

Sanction to draft
Structure plan.

(5) The particulars referred to in sub-section (2) of section 42K shall also be submitted to the State Government.

42N. (1) Subject to the provisions of this section and not later than six months from the date of receipt of draft Structure plan from the Planning Committee, the State Government shall, after consulting the Director of 5 Town Planning, Maharashtra State by notification in the *Official Gazette* sanction the Structure plan for the whole area or separately for any part thereof, either without modification, or subject to such modifications as it may consider proper:

Provided that, the State Government may by notification in the *Official 10 Gazette* extend the period for sanctioning the draft Structure plan by three months.

(2) If the Government does not publish its decision by notification in the *Official Gazette*, regarding sanctioning the draft Structure plan submitted to it, for the whole area, or separately for any part thereof, 15 either without modification, or subject to such modifications as it may consider proper, within the period specified in sub-section (1) then such draft Structure plan shall be deemed to have been sanctioned as submitted to the Government under section 42M, on the date immediately following the date of expiry of the period specified in sub-section (1). 20

(3) Where the modifications proposed to be made by the State Government or submitted by the Planning Committee under section 42M and proposed to be approved by the State Government, without any further change, are of a substantial nature with respect to the draft Structure plan published under section 42K, the State Government shall publish a notice in 25 the *Official Gazette* and also in not less than two local newspapers inviting objections and suggestions from any person in respect of the proposed modifications within a period of thirty days, from the date of such notice.

(4) In this section, the expression “substantial nature” used in relation to the modification made or proposed to be approved by the State 30 Government in the draft Structure plan means,—

(a) any modification to a reserved site resulting in reduction of its area by more than fifty per cent.;

(b) insertion of a new road or a new reservation or modification of a reserved site or a proposed road widening resulting in inclusion 35 of any additional land not so affected previously.

(5) The State Government may appoint an officer not below the rank of Joint Director of Town Planning and direct him to hear any such person in respect of such objections and suggestions and submit his report thereon to the State Government within six months from the date of publication of 40 notice under sub-section (3). The State Government shall before according sanction to the draft Structure plan take into consideration such objections and suggestions and the report of such Officer.

(6) The State Government shall take final decision in consultation with Director of Town Planning, Maharashtra State, regarding modifications of 45 substantial nature within six months from the date of receipt of the report from the Officer appointed under sub-section (5).

(7) The State Government shall, in the notification under sub-section (1), fix a date not earlier than one month from its publication on which the final Structure plan shall come into operation. 50

(8) If a Structure plan contains any proposal for the designation of any land for a purpose specified in section 42J, and if such land does not vest in the Appropriate Authority or Planning Authority, the State Government shall not include that proposal in the Structure plan, unless it is satisfied that the Appropriate Authority or Planning Authority shall be able to acquire such land by private agreement or compulsory acquisition not later than twenty years from the date on which the Structure plan comes into operation, subject to the provisions of this Act, be binding on the Appropriate Authority or Planning Authority.

42O. Where any land has not been acquired within a period of twenty years from the date on which final Structure plan comes into force, any owner of the land may, by notice in writing served on the Planning Authority, the Development Authority or, as the case may be, the Appropriate Authority, require it to acquire his interest therein; and thereupon, the provision of section 127 providing for lapsing of reservations shall apply in relation to such land as they apply in relation to land reserved under any plan under this Act.”

Obligation to acquire reserved lands.

8. In section 59 of the principal Act, in sub-section (2), for the words “suitable amendment of the Development plan” the words “suitable amendment of the final Development plan or Regional plan” shall be substituted.

Amendment of section 59 of Mah. XXXVII of 1966.

9. After section 60 of the principal Act, the following section shall be inserted, namely :—

Insertion of new section after section 60 in Mah. XXXVII of 1966.

“60A. Every Planning Authority shall, at the time of declaration of intention to prepare town planning scheme, appoint a person possessing such qualifications as may be prescribed, to be the Town Planning Officer for carrying out necessary surveys and analysis of the area under the draft town planning scheme, prepare reconstituted plots, redistribution of such reconstituted plots, determine original plot value, semi-final value and final value, determine the compensation and incremental contribution, cost of scheme and any other thing required to be done in preparation of draft scheme including assisting the Director of Town Planning, Arbitrator and Tribunal of Appeal.”.

Town Planning Officer for scheme.

10. In section 61 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely :—

Amendment of section 61 of Mah. XXXVII of 1966.

“(2) If the Planning Authority fails to make a draft scheme and publish a notice regarding its making within the period specified in sub-section (1) or within the period extended under sub-section (3), any work remaining to be done upto the stage of submission of the draft scheme under section 67 shall be completed by the concerned Divisional Joint Director of Town Planning and Valuation Department or an officer nominated by him not below the rank of an Assistant Director of Town Planning, as the case may be. The said Officer shall exercise all the powers and perform all the duties of a Planning Authority which may be necessary for the purpose of preparing a draft scheme and submitting it to the State Government for sanction:

Provided that, the said Officer shall exercise all the power and perform all the duties of the Planning Authority within such period as may be specified by an order by the Director of Town Planning, having regard to the stage of preparation of draft scheme but not exceeding original period stipulated under the relevant section.”.

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Amendment of section 64 of Mah. XXXVII of 1966. **11.** In section 64 of the principal Act, in clause (g-1), in the proviso, in paragraph (I), after the words “under the scheme” the words “and the part of it may also be utilized to set-off incremental contribution payable by the owners included in the scheme” shall be inserted.

Amendment of section 68 of Mah. XXXVII of 1966. **12.** In section 68 of the principal Act, in sub-section (2), the following proviso shall be added, namely :—

“Provided that, the State Government may, by notification in the *Official Gazette*, extend, from time to time, the period for sanctioning the draft scheme or refusing to accord sanction thereto, by such further period not exceeding three months in aggregate.”.

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Amendment of section 68A of Mah. XXXVII of 1966. **13.** In section 68A of the principal Act, after sub-section (3), the following sub-section shall be added, namely:—

“(4) If certain modifications in final Development plan or final Regional plan are contained in the sanctioned draft scheme then the final Development plan or final Regional plan shall be deemed to be modified to the extent of such modifications.”.

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Amendment of section 70 of Mah. XXXVII of 1966. **14.** In section 70 of the principal Act, in sub-section (1), after the words “the State Government may” the words “or *suo-moto*,” shall be inserted.

Amendment of section 71 of Mah. XXXVII of 1966. **15.** In section 71 of the principal Act, in sub-section (1), for the words, brackets, letters and figure “clause (xviii) of sub-section (3)” the words, brackets and figure “sub-section (7)” shall be substituted.

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Amendment of section 72 of Mah. XXXVII of 1966. **16.** In section 72 of the principal Act, in sub-section (7),—

(i) in the proviso, in clause (a), after the words “in the draft scheme” the words, figure and letter “except the land already vested in the Appropriate Authority as per section 68A” shall be added;

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(ii) after clause (a), the following clause shall be inserted, namely :—

“(a-1) he may rectify such errors or omissions which are not of substantial nature;”;

(iii) in the *Explanation*, for the words “two lakhs rupees”, the words “two crore rupees” shall be substituted.

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Amendment of section 75 of Mah. XXXVII of 1966. **17.** In section 75 of the principal Act, for sub-sections (1), (2), (3) and (4), the following sub-sections shall be substituted, namely :—

“(1) The State Government may, if it thinks fit, constitute one or more Tribunal of Appeal for single scheme or multiple schemes, as the case may be, which shall consist of a President and two Assessors.

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(2) The President shall,—

(a) in Brihan Mumbai, be the Principal Judge of the Bombay City Civil Court or any person who has held the post of the Principal Judge of Bombay City Civil Court or such other Judge of the said Court as may be appointed by the State Government on the recommendation of the Principal Judge or any person who has held the post of the Director of Town Planning of the Government of Maharashtra; and

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(b) elsewhere, be the District Judge or the Civil Judge Senior Division or any person who has held the post of District Judge or Civil Judge Senior Division, as may be appointed by the State Government on the recommendation of the District Judge or any person who has held the post not below the rank of Joint Director of Town Planning of the State Government or any person who has held the post not below the rank of Joint Secretary of Law and Judiciary Department of the State of Maharashtra.

(3) The Government shall appoint fit and proper person as Assessor, who shall as far possible have knowledge, or experience of town planning, valuation of land or civil engineering and who shall have such eligibility as may be prescribed.

(4) The President and the Assessor shall be appointed members of the Tribunal of Appeal for such period as may be required by such Tribunal to decide an appeal made against the decision under clauses (i), (ii), (iv), (v) and clauses (vii) to (xiii) (both inclusive) of sub-section (6) of section 72.”.

18. In section 79 of the principal Act, in sub-section (1), for the words, brackets, letters and figure “clauses (iv) to (xi) (both inclusive) and clauses (xiv), (xv) and (xvi) only of sub-section (3)”, the words, brackets, letters and figure “clauses (i), (ii), (iv), (v) and clauses (vii) to (xiii) (both inclusive) of sub-section (6)” shall be substituted. Amendment of section 79 of Mah. XXXVII of 1966.

19. In section 82 of the principal Act,— Amendment of section 82 of Mah. XXXVII of 1966.
 (i) in sub-section (1), for the words, brackets, letters and figure “ clauses (iv) to (xi) and clauses (xiv), (xv) and (xvi) of sub-section (3) ”, the words, brackets, letters and figure “ clauses (i), (ii), (iv), (v) and clauses (vii) to (xiii) of sub-section (6) ” shall be substituted ;

(ii) in sub-section (2), for the words, brackets, letters and figure “ under clause (xviii) of sub-section (3) ” the words, brackets and figure “ under sub-section (7) ” shall be substituted.

20. In section 86 of the principal Act, to sub-section (1), the following provisos shall be added, namely :— Amendment of section 86 of Mah. XXXVII of 1966.

“ Provided that, the period specified in clauses (a) and (b) may be extended by the State Government, by notification in the *Official Gazette*, for a further period of two months in case of preliminary scheme and three months in case of final scheme:

Provided further that, if the State Government does not publish its decision by notification in the *Official Gazette*, regarding sanctioning the preliminary scheme or final scheme submitted to it, either without modification, or subject to such modifications as it may consider proper, or refuse to give sanction to such preliminary scheme, or final scheme, as the case may be, then such scheme shall be deemed to have been sanctioned as submitted to the Government on the date immediately following the date of expiry of the period under this section:

Provided also that, in case of schemes pending for sanction of the State Government on the date of commencement of the Maharashtra Regional and Town Planning (Amendment) Act, 2025, the Government may within six months sanction such scheme and if, the Government has failed to do so or refuse to give sanction to the same within such period, the scheme shall be deemed to have been sanctioned by the State Government.”.

Mah.
of 2025.

Amendment of
section 87 of
Mah. XXXVII of
1966.

21. In section 87 of the principal Act,—

(i) in sub-section (1), for the portion beginning with the words “If at any time” and ending with the words “should be withdrawn, the Arbitrator”, the following shall be substituted, namely :—

“If at any time before the draft scheme is sanctioned by the State Government, a representation is made to the Planning Authority by majority of the owners in the area that the scheme should be withdrawn, the Planning Authority,”;

(ii) in sub-section (2), for the word “scheme” the words “draft scheme” shall be substituted. 10

Substitution
of section 91 of
Mah. XXXVII of
1966.

22. For section 91 of the principal Act, the following shall be substituted, namely :—

Power to vary
scheme on
ground of error,
irregularity or
informality.

“**91.**(1) If after the final scheme has come into force, the Planning Authority considers that the scheme is defective on account of an error, irregularity or informality or that the scheme needs variation or modification of a minor nature, the Planning Authority may, by notification in the *Official Gazette*, prepare a draft of such variation and publish a notice in the *Official Gazette*, and in such other manner as may be prescribed stating that a draft variation has been prepared. 15

(2) The notice of preparation of draft variation published under sub-section (1) shall state every amendment proposed to be made in the scheme, and if any such amendment relates to a matter specified in any of the sub-clauses (i), (ii) and (ii-a) to (ii-h) of clause (b) of sub-section (1) of section 59, the draft variation shall also contain such other particulars as may be prescribed. 20 25

(3) The draft variation shall be open to the inspection of the public at the office of the Planning Authority during office hours and copies of such draft variation or any extract therefrom certified to be correct shall be made available for sale to the public at a reasonable price.

(4) Any person affected by draft variation may communicate, in writing, within one month from the date of publication of the notice regarding preparation of draft variation, his objections to such variation, to the Planning Authority and the Planning Authority shall submit the said variation along with the report on such suggestions or objections with the copies of it to the Government within a further period of one month. 30 35

(5) After receiving the suggestions or objections and the report of Planning Authority under sub-section (4), the State Government may, after consulting the Director of Town Planning and after making such enquiry as it may think fit, by notification in the *Official Gazette*,—

(a) appoint an Arbitrator, and thereupon the provisions of this Chapter shall, so far as may be, apply to such draft variation as if it were a draft scheme submitted to the State Government for sanction; or 40

(b) sanction the variation with or without modifications; or

(c) refuse to sanction the variation.

(6) From the date of the notification sanctioning the variation, with or without modifications, such variation shall take effect as if it were incorporated in the scheme.”.

23. In section 99 of the principal Act,—

5 (a) in sub-section (1), after the words “plot by the Arbitrator” the following shall be substituted, namely :—

Amendment of section 99 of Mah. XXXVII of 1966.

“and from part of the proceeds from the sale of land referred to in para (D) of sub-clause (ii) of clause (g-1) of section 64”.

24. In section 103 of the principal Act, in sub-section (2), after the words, 10 brackets and letter “specified in clause (b)” the words, brackets, letter and figure “and clause (g-1)” shall be inserted.

Amendment of section 103 of Mah. XXXVII of 1966.

25. For section 110 of the principal Act, the following section shall be substituted, namely :—

Substitution of section 110 of Mah. XXXVII of 1966.

15 **“110.** After completing and meeting all the costs of a scheme as provided in this Act, if any amount from the sums paid to the Planning Authority under this Act remains as surplus, the Planning Authority shall, with the prior approval of Joint Director of Town Planning of concerned division and in consultation with the owners of the plots, spend such surplus amount,—

Disposal of surplus amount.

20 (a) for providing further amenities within the area of the scheme; or

(b) for making and providing basic infrastructure in any other town planning scheme within its jurisdiction.”.

26. In section 111 of the principal Act, in sub-section (1), for the words, 25 brackets, letters and figure “clause (xvii) of sub-section (3)” the words, brackets, letters and figure “clause (iv) of sub-section (4)” shall be substituted.

Amendment of section 111 of Mah. XXXVII of 1966.

27. In section 112 of the principal Act, for the words “twenty rupees” the words “five thousand rupees” shall be substituted.

Amendment of section 112 of Mah. XXXVII of 1966.

28. In section 124E of the principal Act, in sub-section (3), for the words 30 “at the rate of eighteen per cent.” the words “at the rate of twelve per cent.” shall be substituted.

Amendment of section 124E of Mah. XXXVII of 1966.

29. In section 124F of the principal Act, in sub-section (2), after the words “charitable institution” the words “or housing projects undertaken for economically weaker section or for lower income group under the “Pradhan 35 Mantri Awas Yojana” or development of any land or building on final plot of town planning scheme” shall be added.

Amendment of section 124F of Mah. XXXVII of 1966.

30. In section 124I of the principal Act, for the words “at the rate of eighteen per cent.” the words “at the rate of twelve per cent.” shall be substituted.

Amendment of section 124I of Mah. XXXVII of 1966.

31. In section 125 of the principal Act, after the words “Regional plan,” 40 the words “Structure plan” shall be inserted.

Amendment of section 125 of Mah. XXXVII of 1966.

Amendment of section 126 of Mah. XXXVII of 1966. **32.** In section 126 of the principal Act, in sub-section (1), after the words “Regional plan,” the words “Structure plan” shall be inserted.

Amendment of section 158 of Mah. XXXVII of 1966. **33.** In section 158 of the principal Act, in sub-section (2), for clause (xxv), the following clause shall be substituted, namely :—

“(xxv) under section 72, the qualifications of a person to be appointed 5
as Arbitrator; the procedure to be followed by an Arbitrator, the manner
in which he shall give notices and the form in which arbitrator shall draw
the final town planning scheme;”.

Power to remove difficulties. **34.** (1) If any difficulty arises in giving effect to the provisions of the principal Act, as amended by this Act, the State Government may, by order 10
published in the *Official Gazette*, give such direction, not inconsistent with the
provisions of the principal Act, as may appear 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 the period
of two years from the date of commencement of this Act. 15

(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.

STATEMENT OF OBJECTS AND REASONS

The Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966) provides for planning of development and use of lands, preparation of Regional plans, Development plans, Town Planning Schemes, etc., for the urban and rural areas in the State.

2. Certain reforms are found necessary in preparation of Development plan for taking into consideration economic activities, infrastructure, transportation network and to have separate Structure plan for regional and town level roads and public amenities and to facilitate effective preparation of town planning scheme for effective planning. For the purposes, the Government considers it expedient to suitably amend various sections of the said Act.

3. The salient features of the Bill are as follows :—

(i) section 22 is being amended to comply with the reforms expected by the Central Government of integrating the essential components of Development plan like transportation network, mobility plan, infrastructure, economic planning with the proposed land use plan while preparing the Development plan ;

(ii) new section 33A is being inserted to undertake time bound preparation and sanction of Local Area plan so as to facilitate the development of local areas envisaging its micro-planning, redevelopment, rejuvenation, etc. ;

(iii) new Chapter III-B is being inserted regarding preparation, submission and sanction of Structure plan containing regional or town level roads and public amenities such as railways, water-ways, canals, airports, etc. ;

(iv) section 59 is being amended to enable Planning Authority to carry out suitable amendments to the sanctioned Regional plan while preparing draft town planning scheme ;

(v) new section 60A is being amended to provide for appointment of Town Planning Officer for preparation of draft town planning scheme ;

(vi) sub-section (2) of section 61 is being amended to empower the Divisional Joint Director of Town Planning or the officer nominated by him to perform the remaining work of draft scheme in circumstances of failure on part of Planning Authority to submit the scheme ;

(vii) sections 64 and 99 are being amended to minimize the incremental contribution payable by the land owners by maximizing the receipts through saleable land for recouping the cost of the scheme ;

(viii) section 68A is being amended to provide for the deemed modification in the sanctioned Development plan or Regional plan to the extent of amendments carried out in the draft town planning scheme on its sanction ;

(ix) section 75 is being amended to constitute one or more Tribunals for single scheme or multiple schemes to complete the process of town planning scheme in the time bound manner ;

(x) section 87 is being amended with a view to provide for withdrawal of scheme prior to sanction of the draft scheme on the representation made by the majority of the owners in the area ;

(xi) section 91 is being substituted with a view to enable the Planning Authority to complete the process of variation of the sanctioned Scheme where the variations are on the grounds of error, irregularity or informality;

(xii) section 110 is being substituted to introduce mechanism of revolving fund to ensure funding to the subsequent schemes in the form of borrowings from the surplus of the earlier schemes in the same city in order to facilitate the Planning Authorities to undertake number of town planning schemes in a City ;

(xiii) section 112 is being amended to increase the amount of penalty for removing boundary stones from rupees twenty to rupees five thousand;

(xiv) section 124F is being amended to grant exemption in development charges for building projects undertaken for Economically Weaker Section and Lower Income Group Housing under the “Pradhan Mantri Awas Yojana” and also development on final plot of town planning scheme ;

(xv) sections 124E and 124I are being amended to decrease the rate of interest from eighteen per cent. to twelve per cent. on unpaid amount of development charges.

4. The Bill seeks to achieve the above objectives.

Mumbai,
Dated the 14th July 2025.

EKNATH SHINDE,
Deputy Chief Minister
(Urban Development).

MEMORANDUM REGARDING DELEGATED LEGISLATION

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

Clause 6.—Under this clause,—

(i) which seeks to insert section 33B in the said Act, in sub-section (1), power is taken to the Planning Authority or Appointed Authority, by notice in the *Official Gazette* to declare the intention to prepare a Local Area plan ;

(ii) which seeks to insert section 33C in the said Act, in sub-section (1), power is taken to the State Government by notification in the *Official Gazette* to sanction the draft Local Area plan ;

(iii) which seeks to insert a section (33D) in the said Act,—

(a) in sub-section (2) power is taken to the Planning Authority or Appointed Authority, by notice in the *Official Gazette* to make modification in the final Local Area plan; and

(b) in sub-section (3), power is taken to the State Government by notification in the *Official Gazette* to approve the modification of the final Local Area plan.

Clause 7.—Under this clause,—

(i) which seeks to insert a section 42H in the said Act, in sub-section (1), power is taken to the State Government by notification in the *Official Gazette* to declare intention to undertake Structure plan ;

(ii) which seeks to insert a section 42K in the said Act, in sub-section (1), power is taken to the Town Planning Officer by notice in the *Official Gazette* to prepare the draft Structure plan ;

(iii) which seeks to insert a section 42L in the said Act, in sub-section (2), power is taken to the Director of Town Planning by notification in the *Official Gazette* to appoint Planning Committee ;

(iv) which seeks to insert a section 42N in the said Act,

(a) (i) in sub-section (1), power is taken to the State Government by notification in the *Official Gazette* to sanction the draft Structure plan ;

(ii) in the proviso, power is taken to the State Government by notification in the *Official Gazette* to extend the period for sanctioning the draft Structure plan ;

(b) in sub-section (2), power is taken to the State Government by notice in the *Official Gazette* to make modification in the Structure plan while sanctioning.

Clause 9.—Under this clause, which seeks to insert section 60A in the said Act, power is taken to the State Government, to prescribe the qualification of Town Planning Officer.

Clause 12.—Under this clause, power is taken to the State Government by notification in the *Official Gazette* to extend the period for sanctioning the draft scheme or refusing to accord sanction.

Clause 17.—Under this clause, which seeks to amend section 75 of the said Act, in sub-section (3), power is taken to the State Government to prescribe by the eligibility of Assessor.

Clause 20.—Under this clause, which seeks to insert a proviso to sub-section (1) of section 86 in the said Act, power is taken to the State Government by notification in the *Official Gazette* to extend the period for sanctioning of preliminary or final scheme.

Clause 22.—Under this clause, which seeks to substitute section 91 of the said Act,—

(a) in sub-section (1), power is taken to the Planning Authority to, notify preparation of a draft of variation by notification in the *Official Gazette* and prescribe such other manner stating that a draft variation has been prepared.

(b) in sub-section (5), power is taken to the State Government by notification in the *Official Gazette* to appoint an Arbitrator; or sanction the variation with or without modifications; or to refuse to sanction the variation to scheme.

Clause 34(1).—Under this clause, power is taken to the State Government to issue an order in the *Official Gazette* for removing any difficulty, which may arise in giving effect to the provisions of this Act with a period of two years from the date of commencement.

2. The above-mentioned proposals for delegation of legislative power are of normal character.

(Mah. XXXVII of 1966)

22. A Development plan shall generally indicate the manner in which the use of land in the area of a Planning Authority shall be regulated, and also indicate the manner in which the development of land therein shall be carried out. In particular, it shall provide so far as may be necessary for all or any of the following matters, that is to say,—

(d) transport and communications, such as roads, high-ways, park-ways, railways, water-ways, canals and airports, including their extension and development;

23. to 26. * * * *

27. Where any area within the jurisdiction of a Planning Authority is included in a Region, the Planning Authority or as the case may be, the said Officer shall have regard to, and be guided by, the proposals made in any draft Regional plan or any final Regional plan, as the case may be, while preparing the draft Development plan :

Provision of Regional plan to be considered.

Provided that, where the Planning Authority or the said Officer is of the opinion that any provision of a draft Regional plan or the final Regional plan, as the case may be needs any modification, the Planning Authority or as the case may be, the said Officer may carry out such modification—

(a) in the case of a draft Regional plan, with the concurrence of the Regional Board; and

(b) in the case of a final Regional plan, with the approval of the State Government.

CHAPTER III

(c) Provisions for preparation of interim Development plans, plans for areas of Comprehensive development, etc.

59.	<i>(1)</i>	*	*	*	*	Preparation and contents of town planning scheme.
<p>(2) In making provisions in a draft town planning scheme for any of matters referred to in clause (b) of sub-section (1), it shall be lawful for a Planning Authority with the approval of the Director of Town Planning and</p>						

subject to the provisions of section 68 to provide for suitable amendment of the Development plan.

60. * * *

Making and
publication of
draft scheme
by means of
notice.

61. (1) * * *

(2) If the Planning Authority fails to make a draft scheme and publish a notice regarding its making within the period specified in sub-section (1) or within the period extended under sub-section (3), the declaration shall lapse, unless the State Government appoints an Officer to prepare and submit the draft scheme to the State Government on behalf of the Planning Authority not later than nine months from the date of such appointment or the extended period under sub-section (3); but any such lapse of declaration shall not debar the Planning Authority from making a fresh declaration anytime in respect of the same area.

(3) * * *

62. and 63. * * *

Contents of
draft scheme.

64. A draft scheme shall contain the following particulars so far as may be necessary, that is to say,—

(a) to (g) * * *

(g-1) the allotment of land from the total area covered under the scheme, to the extent of,—

(i) the reservation of land to the extent of ten per cent. of the total area covered under the scheme, for the purpose of providing housing accommodation to the members of economically weaker section and for lower income group and for persons dispossessed in the scheme;

(ii) the allotment of land to the extent of forty per cent. of the total area covered under the scheme, in the aggregate, for any or all of the following purposes, namely :—

(A) for roads;

(B) for parks, playgrounds, garden and open spaces;

(C) social infrastructure such as schools, dispensary, fire brigade and public utility place;

(D) sale by Planning Authority for residential, commercial or industrial use depending upon the nature of development:

Provided that,—

(I) the proceeds from the sale of land referred to in sub-clause (D) of this clause shall be used for the purpose of providing infrastructural facilities in the area covered under the scheme;

(II) the use of land allotted for the purposes referred to in sub-clause (B) of this clause shall not be changed by variation of scheme for a purpose other than the purpose for which it is so allotted;

(III) the land allotted for the purposes referred to in sub-clause (C) of this clause may be allowed to be developed, without variation of scheme, for any public purpose not contrary to the intent of the provisions of the draft scheme;
(h) * * * *

65. to 67.

* * * *

68. (1)

* * * *

Power
of State
Government
to sanction
draft scheme.

(2) On receiving such application, after making such inquiry as it may think fit and consulting the Director of Town Planning, the State Government may, not later than three months from the date of its submission, by notification in the *Official Gazette*, either sanction such draft scheme with or without modifications and subject to such conditions as it may think fit to impose or refuse to give sanction.

(3)

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68A.

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69.

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70. (1) Where a Planning Authority has published a declaration under section 61 the State Government may, on an application of the Planning Authority by order published in the *Official Gazette*, suspend to such extent only as may be necessary for the proper carrying out of the scheme any rule, bye law, regulation, notification or order made or issued under any law which the Legislature of the State is competent to amend.

Power
of State
Government
to suspend
rule, bye-law,
etc.

(2) to (4)

* * * *

71. (1) Where there is a disputed claim as to the ownership of any piece of land included in an area in respect of which a declaration of intention to make a town planning scheme has been made and any entry in the record of rights or mutation register relevant to such disputed claim is inaccurate or inconclusive, an inquiry may be held on an application being made by the Planning Authority or the Arbitrator at any time prior to the date on which the arbitrator draws up the final scheme under clause (xviii) of sub-section (3) of section 72 by such officer as the State Government may appoint for the purpose of deciding who shall be deemed to be owner for the purposes of this Act.

Disputed
ownership.

(2) to (4)

* * * *

72. (1) to (6)

* * * *

Arbitrator,
his powers
and duties.

(7) The Arbitrator shall draw in the prescribed from the preliminary and final schemes in accordance with the draft scheme :

Provided that,—

(a) he may make variation in the draft scheme;

(b) he may, with the previous sanction of the State Government, after hearing the Planning Authority and any owners who may objections, make substantial variations in the draft scheme.

Explanation.— For the purposes of clause (b) of this proviso, “substantial variation” means increase in the total cost of the draft scheme by more than twenty per cent. or, two lakhs rupees, whichever is higher, on account of the provision of new works or the reservation of additional sites for public purposes included in the final scheme drawn up by the Arbitrator.

73. and 74.

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Constitution
of Tribunal of
Appeal.

75. (1) The Tribunal of Appeal shall consist of a President and two Assessors.

(2) The President shall—

(a) in Greater Bombay, be the Principal Judge of the Bombay City Civil Court or such other Judge of the said Court as may be appointed by the State Government on the recommendation of the Principal Judge; and

(b) elsewhere, be the District Judge or the Civil Judge of the Senior Division as may be appointed by the State Government on the recommendation of the District Judge:

Provided that, the State Government may, if it thinks fit, appoint as President any person who has held the post (i) in Greater Bombay of a Judge of the High Court or of the Bombay City Civil Court, and (ii) elsewhere of a Judge of the District Court.

(3) The President shall appoint fit and proper persons as Assessors, who shall as far as possible have knowledge, or experience of town planning, valuation of land or civil engineering.

(4) The President and the Assessors shall be appointed members of the Tribunal of Appeal for such period as may be required by such Tribunal to decide an appeal made against the decision under clauses (iv) to (xi) (both inclusive), and clauses (xiv), (xv) and (xvi) of the sub-section (3) of section 72.

(5) and (6)

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76. to 78.

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Powers of
Tribunal
to decide
matter
finally.

79. (1) The Tribunal of Appeal shall, after making such inquiry as it may think fit, decide all matters arising out of clauses (iv) to (xi) (both inclusive) and clauses (xiv), (xv) and (xvi) only of sub-section (3) of section 72 in respect of appeals referred to the Tribunal: and may either confirm the proposals of the Arbitrator or direct him where necessary to reconsider, vary or modify his proposals only in respect of such matters aforesaid.

(2)

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80. to 81.

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Decision of
Arbitrator
to be final
in certain
matters.

82. (1) Where no appeal has been made under section 74, the decisions of the Arbitrator under clauses (iv) to (xi) and clauses (xiv), (xv) and (xvi) of sub-section (3) of section 72 shall be final and binding on the parties.

(2) The Tribunal of Appeal shall send a copy of its decision in appeal to the Arbitrator who shall then, where necessary, make variation in the scheme in accordance with such decision and may also rectify such errors or omissions, if any, as may have been brought to his notice after publication of the final scheme as drawn up by him under clause (xviii) of sub-section (3) of section 72; and the Arbitrator shall forward such final scheme together with a copy of his decisions

under section 72 and a copy of the decision of the Tribunal of Appeal in appeal to the State Government for the sanction of the final scheme.

83. to 85.

* * * *

86. (1) On receipt of the preliminary scheme or, as the case may be, the final scheme, the State Government may,—

Sanction
of State
Government
to
preliminary
or final scheme.

(a) in the case of the preliminary scheme, within a period of two months from the date of its receipt, and

(b) in the case of the final scheme, within a period of three months from the date of its receipt,

by notification in the *Official Gazette*, sanction the preliminary scheme or the final scheme or refuse to give such sanction, provided that in sanctioning any scheme, the State Government may make such modifications as may, in its opinion, be necessary for the purpose of correcting an error, irregularity or informality.

(2) and (3)

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87. (1) If at anytime before the preliminary scheme is forwarded by the Arbitrator to the State Government, a representation is made to the Arbitrator by the Planning Authority and a majority of the owners in the area that the scheme should be withdrawn, the Arbitrator shall, after inviting from all persons interested in the scheme objections to such representation, forward such representation together with the objections, if any, to the State Government.

withdrawal of
scheme.

(2) After making such inquiry as it may think fit, the State Government may, by notification in the *Official Gazette*, direct that the scheme shall be withdrawn; and upon such withdrawal, no further proceedings shall be taken in regard to such scheme.

88. to 90.

* * * *

91. (1) If after the final scheme has come into force, the Planning Authority considers that the scheme is defective on account of an error, irregularity or informality or that the scheme needs variation or modification of a minor nature, the Planning Authority may apply in writing to the State Government for variation of the scheme.

Power to
vary scheme
on ground
of error,
irregularity or
informality.

(2) If, on receiving such application or otherwise, the State Government is satisfied that the variation required is not substantial, the State Government shall, by notification in the *Official Gazette*, authorise or direct the Planning Authority to prepare a draft of such variation and publish a notice in the *Official Gazette*, and in such other manner as may be prescribed stating that a draft variation has been prepared.

(3) The notice of preparation of draft variation published under sub-section (2) shall state every amendment proposed to be made in the scheme, and if any such amendment relates to a matter specified in any of the sub-clauses (i) to (ii) of clause (b) of section 59, the draft variation shall also contain such other particulars as may be prescribed.

(4) The draft variation shall be open to the inspection of the public at the office of the Planning Authority during office hours and copies of such draft variation or any extract therefrom certified to be correct shall be available for sale to the public at a reasonable price.

(5) Not later than one month of the date of the publication of the notice regarding preparation of draft variation, any person affected thereby may communicate in writing his objections to such variation to the State Government, and send a copy thereof to the Planning Authority.

(6) After receiving the objections under sub-section (5), the State Government may, after consulting the Planning Authority and after making such enquiry as it may think fit, by notification in the *Official Gazette*,—

(a) appoint an Arbitrator, and thereupon the provisions of this Chapter shall, so far as may be, apply to such draft variation, as if it were a draft scheme submitted to the State Government for sanction;

(b) sanction the variation with or without modifications; or

(c) refuse to sanction the variation.

(7) From the date of the notification sanctioning the variation, with or without modifications, such variation shall take effect as if it were incorporated in the scheme.

92. to 98.

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Contribution
towards cost
of scheme.

99. (1) The cost of the scheme shall be met wholly or in part by a contribution to be levied by the Planning Authority on each final plot included in the final scheme calculated in proportion to the increment which is estimated to accrue in respect of such plot by the Arbitrator :

Provided that—

(i) no such contribution shall exceed half the increment estimated by the Arbitrator to accrue in respect of such final plot, subject to the condition that where the total cost of a scheme exceeded half the total amount of increments, the proportion of such contribution shall not be less than half the increment;

(ii) no such contribution shall be levied on a plot used, allotted or reserved, for a public purpose or purpose of the Planning Authority, such plot being solely for the benefit of the owners or residents within the area of the scheme;

(iii) the contribution levied on a plot used, allotted or reserved for a public purpose or purposes of the Planning Authority which is beneficial partly to the owners or residents within the area of the scheme and partly to the general public shall be calculated in the proportion to the benefit estimated to accrue to the general public from such use, allotment or reservation.

(2)

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100. to 102.

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Exclusion or
limitation of
compensation
in certain
cases.

103. (1)

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(2) Property or a private right of any sort shall not be deemed to be injuriously affected by reason of any provision inserted in a town planning scheme which with a view to securing the amenity of the area included in such scheme or any part thereof, imposes any conditions and restrictions in regard to any of the matters specified in clause (b) of section 64.

104. to 109.

* * * *

110. Where after completing and meeting all the costs of a scheme as provided in this Act, any amount from the sums paid to the Planning Authority under this Act remains as surplus, the Planning Authority shall, in consultation with the owners of the plots, spend such surplus amount for providing further amenities within the area of the scheme. Disposal of surplus amount.

111. (1) A Planning Authority shall complete all the works provided in a final scheme within the period prescribed in the final scheme by the Arbitrator under clause (xvii) of sub-section (3) of section 72 : Execution of works in final scheme by Planning Authority.

Provided that, in exceptional circumstances on application by the Planning Authority, the State Government may by an order in writing specifying those circumstances grant to the Planning Authority in this behalf further extension of time as it may think fit.

(2) * * * *

112. Whoever wilfully destroys or injures or without lawful authority removes, a boundary stone or mark lawfully fixed or constructed, the Collector, on receipt of the intimation from the Arbitrator or the Planning Authority, may order such person to pay a fine, not exceeding twenty rupees for each stone or mark so destroyed, injured or removed as may in his opinion be necessary to defray the expenses of restoring the same. Penalty for removal of boundary stones.

113. to 124. * * * ***124A. to 124D.** * * * *

124E. (1) and (2) * * * * Assessment and recovery of development charge.

(3) The amount of Development charge as shown in the notice of assessment shall be paid within thirty days of the date of receipt thereof by such person and where the amount has not been so paid or has been partly paid an interest at the rate of eighteen per cent. per annum upon any amount outstanding shall be payable from the date immediately following the date on which the period of thirty days as aforesaid expires till the date of payment of such amount.

(4) to (6) * * * *

124F. (1) * * * * Exemptions.

(2) Subject to such conditions as it may impose, the State Government may, by notification in the *Official Gazette*, exempt partially from the payment of development charge payable on the development of any land or building which is proposed for warehouse or godown or by any educational institution, medical institution or charitable institution.

(3) * * * *

124G. and 124H. * * * *

Interest on
amount of
enhanced
assessment or
of refund.

124I. If, as a result of an order passed in appeal under section 124G, the assessment is enhanced and any amount of difference is required to be recovered from the appellant or any amount from out of the amount paid under clause (b) of section 124H is required to be refunded to the appellant, an interest at the rate of eighteen per cent. per annum shall be payable,—

(a) in the case of amount to be so recovered, from the date of the notice of original assessment till the date of recovery thereof; and

(b) in the case of amount to be so refunded, from the date on which the amount was paid under clause (b) of section 124H till the date of refund thereof.

124J. to 124L.

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Compulsory
acquisition for
land needed
for purposes
of Regional
and plan,
Development
plan, or town
planning
schemes etc.

125. Any land required, reserved or designated in a Regional plan, Development plan or town planning scheme for a public purpose or purposes including plans for any area of Comprehensive development or for any new town shall be deemed to be land needed for a public purpose within the meaning of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013) :

Provided that, the procedure specified in section 4 to 15 (both inclusive) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013) shall not be applicable in respect of such lands.

Acquisition of
land required
for public
purposes
specified in
plans.

126. (1) Where after the publication of a draft Regional plan, a Development or any other plan or town planning scheme, any land is required or reserved for any of the public purposes specified in any plan or scheme under this Act at anytime, the Planning Authority, Development Authority, or as the case may be, any Appropriate Authority may, except as otherwise provided in section 113A acquire the land,—

(a) by agreement by paying an amount agreed to, or

(b) in lieu of any such amount, by granting the land-owner or the lessee, subject, however, to the lessee paying the lessor or depositing with the Planning Authority, Development Authority or Appropriate Authority, as the case may be, for payment to the lessor, an amount equivalent to the value of the lessor's interest to be determined by any of the said Authorities concerned on the basis of the principles laid down in the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013), Floor Space Index (FSI) or Transferable Development Rights (TDR) against the area of land surrendered free of cost and free from all encumbrances, and also further additional Floor Space Index or Transferable Development Rights against the development or construction of the amenity on the surrendered land at his cost, as the Final Development Control Regulations prepared in this behalf provide, or

(c) by making an application to the State Government for acquiring such land under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013),

and the land (together with the amenity, if any so developed or constructed) so acquired by agreement or by grant of Floor Space Index or additional Floor Space Index or Transferable Development Rights under

this section or under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013), as the case may be, shall vest absolutely free from all encumbrances in the Planning Authority, Development Authority, or as the case may be, any Appropriate Authority.

(2) to (4)	*	*	*	*	
127. to 157A.	*	*	*	*	
158. (1)	*	*	*	*	Power to
(2) (i) to (xxiv)	*	*	*	*	make rules.

(xxv) under sub-section (1) of section 72, the qualifications of a person to be appointed as Arbitrator; under sub-section (3) of that section, the procedure to be followed by an Arbitrator, the manner in which he shall give notices and the form in which he shall draw the final town planning scheme;

(xxvi) to (xxviii)	*	*	*	*	
(3)	*	*	*	*	
159. to 165.	*	*	*	*	
SCHEDULES	*	*	*	*	

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[L. A. Bill No. LXXX of 2025.]

**[A Bill further to amend the
Maharashtra Regional and
Town Planning Act, 1966.]**

[SHRI EKNATH SHINDE,
Deputy Chief Minister
(Urban Development).]

JITENDRA BHOLE,
Secretary (1),
Maharashtra Legislative Assembly.