

L. A. BILL No. XXVII OF 2026.

A BILL

*further to amend the Maharashtra Tenancy and Agricultural Lands Act,
the Hyderabad Tenancy and Agricultural Lands Act, 1950 and the
5 Maharashtra Tenancy and Agricultural Lands (Vidarbha Region) Act.*

LXVII of 1948. **WHEREAS** it is expedient further to amend the Maharashtra Tenancy and Agricultural Lands Act, the Hyderabad Tenancy and Agricultural Lands Act, 1950 and the Maharashtra Tenancy and Agricultural Lands (Vidarbha Region) Act, for the purposes hereinafter appearing; it is hereby enacted in the
Hyd. Act XXI of 1950.¹⁰ Seventy-seventh Year of the Republic of India, as follows :—
XCIX of 1958.

CHAPTER I

PRELIMINARY.

1. This Act may be called the Maharashtra Tenancy and Agricultural Lands Laws (Amendment) Act, 2026. Short title.

CHAPTER II

AMENDMENTS TO THE MAHARASHTRA TENANCY AND AGRICULTURAL LANDS ACT.

- Amendment of section 43 of LXVII of 1948. **2.** In section 43 of the Maharashtra Tenancy and Agricultural Lands Act LXVII (hereinafter, in this Chapter, referred to as “the Maharashtra Tenancy Act”), of 1948. in sub-section (1), in the second proviso, clause (a) shall be deleted. 5
- Amendment of section 63-IA of LXVII of 1948. **3.** In section 63-IA of the Maharashtra Tenancy Act,—
- (i) in sub-section (1),—
- (a) after the second proviso, the following provisos shall be inserted, namely :—
- “Provided also that, if the person purchases the land for *bona-fide* industrial use within a period from the 17th May 2004 upto the 1st January 2016, then he shall be permitted to put such land for *bona-fide* industrial use within a total period of fifteen years from the date of purchase, subject to such conditions as may be specified by the Government : 15
- Provided also that, after expiry of period of ten years or fifteen years, as the case may be, if the purchaser fails to put the land to *bona-fide* industrial use due to pending litigation, delays in land aggregation or other circumstances beyond the control of purchaser, then the State Government may, on request for 20 extension, if satisfied, grant an extension of not exceeding further three years, subject to the payment of a premium equal to ten per cent. of the prevailing market value of such land.” ;
- (b) in the existing third proviso, after the words “ten years” the words “ or fifteen years or any extended period thereafter as per the 25 above provisos” shall be inserted ;
- (c) the existing fifth proviso, shall be deleted ;
- (ii) for sub-section (2), the following sub-section shall be substituted, namely :—
- “(2) The land held by the Occupant as Occupancy Class I only 30 shall be eligible for purchase under sub-section (1). The purchaser of such land shall pay one time conversion premium as per section 47 of the Maharashtra Land Revenue Code, 1966.”; Mah. XLI of 1966.
- (iii) for sub-section (4), the following sub-section shall be substituted, namely :— 35
- “(4) If the person fails to inform the Collector within the period specified in sub-section (3), he shall be liable to pay, in addition to one time conversion premium which may be leviable under section 47 of the Maharashtra Land Revenue Code, 1966, such penalty not exceeding five times the amount of conversion premium.”; Mah. XLI of 1966. 40

(iv) in sub-section (5), for the words “be permitted by the Collector”, the words “be permitted by the Collector, with the prior approval of the State Government” shall be substituted;

5 (v) in sub-section (6), for the words “be permitted by the Collector”, the words “be permitted by the Collector, with the prior approval of the State Government” shall be substituted.

CHAPTER III

AMENDMENTS TO THE HYDERABAD TENANCY AND AGRICULTURAL LANDS ACT, 1950.

Hyd. Act XXI of 1950. 4. In section 47A of the Hyderabad Tenancy and Agricultural Lands Act, 1950 (hereinafter, in this Chapter, referred to as “the Hyderabad Tenancy Act”),- Amendment of section 47A of Hyd. Act XXI of 1950.

(i) in sub-section (1),—

(a) after the second proviso, the following provisos shall be inserted, namely :—

15 “Provided also that, if the person purchases the land for *bona-fide* industrial use within a period from the 17th May 2004 upto the 1st January 2016, then he shall be permitted to put such land for *bona fide* industrial use within a total period of fifteen years from the date of purchase, subject to such conditions as may be specified by the Government :

20 Provided also that, after the expiry of period of ten years or fifteen years, as the case may be, if the purchaser fails to put the land to *bona-fide* industrial use due to pending litigation, delays in land aggregation or other circumstances beyond the control of purchaser, then the State Government may, on request for extension, if satisfied, grant an extension of not exceeding further three years, subject to the payment of a premium equal to ten per cent. of the prevailing market value of such land.” ;

25 (b) in the existing third proviso, after the words “ten years” the words “ or fifteen years or any extended period thereafter as per the above provisos” shall be inserted ;

(c) the existing fifth proviso, shall be deleted ;

30 (ii) for sub-section (2), the following sub-section shall be substituted, namely :—

35 “(2) The land held by the Occupant as Occupancy Class I only shall be eligible for purchase under sub-section (1). The purchaser of such land shall pay one time conversion premium as per section 47 of the Maharashtra Land Revenue Code, 1966.”;

Mah. XLI of 1966.

40 (iii) for sub-section (4), the following sub-section shall be substituted, namely :—

Mah. XLI of 1966.

“(4) If the person fails to inform the Collector within the period specified in sub-section (3), he shall be liable to pay, in addition to one time conversion premium which may be leviable under section 47 of the Maharashtra Land Revenue Code, 1966, such penalty not exceeding five times the amount of conversion premium.”;

(iv) in sub-section (5), for the words “be permitted by the Collector”, the words “be permitted by the Collector, with the prior approval of the State Government” shall be substituted;

(v) in sub-section (6), for the words “be permitted by the Collector”, the words “be permitted by the Collector, with the prior approval of the State Government” shall be substituted.

Amendment
of section 50B
of Hyd. Act
XXI of 1950.

5. In section 50B of Hyderabad Tenancy Act, in sub-section (1), in the proviso, clause (a) shall be deleted.

CHAPTER III

AMENDMENTS TO THE MAHARASHTRA TENANCY AND AGRICULTURAL LANDS (VIDHARBHA REGION) ACT. 10

Amendment
of section 57
of XCIX of
1958.

6. In section 57 of the Maharashtra Tenancy and Agricultural Lands (Vidharbha Region) Act (hereinafter, in this Chapter, referred to as “the Vidarbha Region Tenancy Act”), in sub-section (1), in the proviso, clause (a) shall be deleted. 15

Amendment
of section
89A of XCIX
of 1958.

7. In section 89A of the Vidarbha Region Tenancy Act,—

(i) in sub-section (1),—

(a) after the second proviso, the following provisos shall be inserted, namely:—

“Provided also that, if the person purchases the land for *bona-fide* industrial use within a period from the 17th May 2004 upto the 1st January 2016, then he shall be permitted to put such land for *bona-fide* industrial use within a total period of fifteen years from the date of purchase, subject to such conditions as may be specified by the Government : 25

Provided also that, after the expiry of period of ten years or fifteen years, as the case may be, if the purchaser fails to put the land to *bona-fide* industrial use due to pending litigation, delays in land aggregation or other circumstances beyond the control of purchaser, then the State Government may, on request for extension, if satisfied, grant an extension of not exceeding further three years, subject to the payment of a premium equal to ten per cent. of the prevailing market value of such land.” ; 30

(b) in the existing third proviso, after the words “ten years” the words “ or fifteen year or any extended period thereafter as per the above provisos” shall be inserted ; 35

(c) the existing fifth proviso, shall be deleted ;

(ii) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) The land held by the Occupant as Occupancy Class I only shall be eligible for purchase under sub-section (1). The purchaser of such land shall pay one time conversion premium as per section 47 of the Maharashtra Land Revenue Code, 1966.”; 40

Mah.
XLI of
1966.

(iii) for sub-section (4), the following sub-section shall be substituted, namely :—

“(4) If the person fails to inform the Collector within the period specified in sub-section (3), he shall be liable to pay, in addition to one time conversion premium which may be leviable under section 47 of the Maharashtra Land Revenue Code, 1966, such penalty not exceeding five times the amount of conversion premium.”;

(iv) in sub-section (5), for the words “be permitted by the Collector”, the words “be permitted by the Collector, with the prior approval of the State Government” shall be substituted;

(v) in sub-section (6), for the words “be permitted by the Collector”, the words “be permitted by the Collector, with the prior approval of the State Government” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The Maharashtra Tenancy and Agricultural Lands Act (LXVII of 1948), the Hyderabad Tenancy and Agricultural Lands Act, 1950 (Hyd. XXI of 1950) and the Maharashtra Tenancy and Agricultural Lands (Vidarbha Region) Act (XCIX of 1958), are in operation in the State.

2. Sections 43, 50B and 57 of the above referred respective Tenancy Laws provide for restriction on transfers of land purchased or sold under the said Laws. The said sections provide that it is mandatory to pay a *nazarana* equal to forty times the land revenue assessment to the Government before selling or purchasing land for which ten years have elapsed from the date of purchase or sale of land. The said amount of *nazarana* is a meagre amount, therefore collection of such amount is negligible. The Government, therefore considers it necessary to remove the said condition by amending the said sections, suitably. The removal of this condition will streamline the process of land transfer and will make it more efficient.

3. Sections 63-IA, 47A and 89A of the above referred respective Tenancy Laws provide for sale of agricultural land without permission of the Collector for *bona-fide* industrial use or for Integrated Township Projects. The purchase of large agricultural land parcels for *bona-fide* industrial use involves procedural difficulties such as title verification, heirship determination, obtaining various statutory clearances, pending litigation, etc. This often leads to delay in putting the land for *bona-fide* industrial use which is beyond control of purchaser. Therefore, to foster an 'industry-friendly' environment in the State, it is proposed to amend the said sections to enable to grant further extension for commencing industrial use of such land.

It is also proposed to provide that, the land held by Occupants as Occupancy Class-I only shall be eligible for purchase for *bona-fide* industrial use or Integrated Township Projects, on payment of one time conversion premium as per the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966).

Sub-sections (5) and (6) of sections 63-IA, 47A and 89A of the above referred respective Tenancy Laws provides for sale of such lands purchased for *bona-fide* industrial use or for any alternative non agricultural purpose with the permission of the Collector. In order to ensure effective and proper compliance of required conditions specified in the said sub-sections (5) and (6), it is proposed to provide by making suitable amendment that the Collector is required to obtain prior approval of the State Government before granting such permission.

4. For the above purposes, the Government of Maharashtra considers it expedient to amend the aboveresferred sections of the Maharashtra Tenancy and Agricultural Lands Act, the Hyderabad Tenancy and Agricultural Lands Act, 1950 and the Maharashtra Tenancy and Agricultural Lands (Vidarbha Region) Act, suitably.

5. The Bill seeks to achieve the above objectives.

Mumbai,

Dated the 20th March, 2026.

CHADRASHEKHAR BAWANKULE,

Minister for Revenue.

FINANCIAL MEMORANDUM

The Bill proposes to amend the the Maharashtra Tenancy and Agricultural Lands Act, the Hyderabad Tenancy and Agricultural Lands Act, 1950 and the Maharashtra Tenancy and Agricultural Lands (Vidarbha Region) Act. There is no provision in the Bill which would involve the recurring or non-recurring expenditure from the Consolidated Fund of the State, on its enactment as an Act of the State Legislature.

**GOVERNOR'S RECOMMENDATION UNDER ARTICLE 207 OF THE
CONSTITUTION OF INDIA**

(Copy of Government of Maharashtra Order, Law and Judiciary Department)

In exercise of the power conferred upon him by clause (1) of Article 207 of the Constitution of India, the Governor of The Maharashtra is pleased to recommend to the Maharashtra Legislative Assembly, the introduction of the Maharashtra Tanancy and Agricultural Lands Laws (Amendment) Bill, 2026.

**ANNEXURE TO THE L.A. BILL No. XXVII OF 2026 -
THE MAHARASHTRA TENANCY AND AGRICULTURAL LANDS,
THE HYDERABAD TENANCY AND AGRICULTURAL LANDS, AND
THE MAHARASHTRA TENANCY AND AGRICULTURAL LANDS
(VIDARBHA REGION) (AMENDMENT) BILL, 2026.**

**(Extracts from the Maharashtra Tenancy and Agricultural Lands
Act)**

(Mah. LXVII of 1948)

1. to 42.

*

*

*

*

43. (1) No land purchased by a tenant under section 32, 32F, 32-I, 32-O, 33-C or 43-ID or sold to any person under section 32P or 64 shall be transferred by sale, gift, exchange, mortgage, lease or assignment without the previous sanction of the Collector. Such sanction shall be given by the Collector in such circumstances, and subject to such conditions, as may be prescribed by the State Government:

Restriction on transfers of land purchased or sold under this Act.

Provided that, no such sanction shall be necessary where the land is to be mortgaged in favour of Government or a society registered or deemed to be registered under the Bombay Co-operative Societies Act, 1925, for raising a loan for effecting any improvement of such land:

Provided further that, no such previous sanction shall be necessary for the sale, gift, exchange, mortgage, lease or assignment of the land in respect of which ten years have elapsed from the date of purchase or sale of land under the sections mentioned in this sub-section, subject to the conditions that,—

(a) before selling the land, the seller shall pay a nazarana equal to forty times the assessment of the land revenue to the Government;

(b) the purchaser shall be an agriculturist;

(c) the purchaser shall not hold the land in excess of the ceiling area permissible under the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961; and

(d) the provisions of the 4Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947 shall not be violated.

(2) Any transfer of land in contravention of sub-section (1) shall be invalid.

43-1A. to 43-C.

*

*

*

*

44. to 62.

*

*

*

*

63. (1) Save as provided in this Act,—

(a) no sale (including sales in execution of a decree of a Civil Court or for recovery of arrears of land revenue or for sums recoverable as arrears of land revenue), gift, exchange or lease of any land or interest therein, or

(b) no mortgage of any land or interest therein, in which the possession of the mortgaged property is delivered to the mortgagee,

shall be valid in favour of a person who is not an agriculturist or who being an agriculturist will, after such sale, gift, exchange, lease or mortgage, hold land exceeding two-thirds of the ceiling area determined under the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961 or who is not an agricultural labourer:

Transfers to non-agriculturists barred.

Provided that the Collector or an officer authorised by the State Government in this behalf may grant permission for such sale, gift, exchange, lease or mortgage, on such conditions as may be prescribed.

Explanation.— For the purpose of this sub-section, the expression “agriculturist” shall include any person and his heirs whose land has been acquired for a public purpose and who as a result of such acquisition has been rendered landless from the date of such acquisition.

(1A) Where any condition subject to which permission to transfer was granted is contravened, then the land in respect of which such permission was granted shall be liable to be forfeited in accordance with the provisions of section 84CC.

(1B) Where permission is granted to any transfer of land under sub-section (1) any subsequent transfer of such land shall also be subject to the provisions of sub-section (1).

(1C) Nothing in sub-section (1) shall apply to the land situated within the limits of a Municipal Corporation or a Municipal Council, or within the jurisdiction of a Special Planning Authority or a New Town Development Authority appointed or constituted under the provisions of the Maharashtra Regional and Town Planning Act, 1966 or any other law for the time being in force, and also to any land allocated to residential, commercial, industrial or any other non-agricultural use in the draft or final Regional plan or Town Planning Scheme, as the case may be, prepared under the Maharashtra Regional and Town Planning Act, 1966 or any other law for the time being in force:

Provided that, any transfer of land in favour of a person who is not an agriculturist for any non-agricultural use such as residential, commercial, industrial or any other non-agricultural use, shall be subject to the condition that such land shall be put to such non-agricultural use within a period of five years from the date of transfer, and due entry of such condition shall be made in the Record of Rights of such land:

Provided further that, in respect of land transferred for any non-agricultural use permissible in the draft or final Development plan or Regional plan or Town Planning Scheme, as the case may be, after the expiry of the aforesaid period of five years, an extension of time not exceeding further five years may be granted by the Collector on payment of non-utilization charges at the rate of two per cent. of the market value of such land per annum, where such market value shall be calculated as per the Annual Statement of Rates published under the Bombay Stamp (Determination of True Market Value of Property) Rules, 1995, as applicable on the date of grant of such extension of time:

Provided also that, if the transferee, including subsequent transferee, if any, fails to put the land to non-agricultural use permissible in the draft or final Development plan or Regional plan or Town Planning Scheme, as the case may be, within a period of five years or, where non-utilization charges as aforesaid have been paid, within the total period of ten years, then the Collector shall resume such land after giving one month’s notice to the said defaulting transferee, and the land so resumed by the Collector shall vest in the Government free from all encumbrances, and shall first be offered to the original land holder by way of grant, on the same tenure on which it was initially held by such original land holder before its transfer for such non-agricultural use and at the same price at which it had been transferred by the original land holder for such non-agricultural use:

Provided also that, if the original land holder fails to accept the offer to purchase the said land within a period of ninety days from the date of receipt of such offer from the Collector or having accepted such offer, fails to deposit with the Collector the required amount within a further period of ninety days, such land shall be auctioned for any use consistent with and permissible under the draft or final Development plan or Regional plan or Town Planning Scheme, as the case may be; and in both the cases, the

defaulting transferee shall only be entitled to compensation equal to the price at which such land had been purchased by him and the Collector shall remit such compensation to the defaulting transferee within a period of ninety days from the date of receipt of payment under the said auction:

Provided also that, if a person who is not an agriculturist fails to utilize the said land for the non-agricultural use permissible in the draft or final Development plan or Regional plan or Town Planning Scheme, as the case may be, fully or partly, and wants to sell the same subsequently before the expiry of the total specified period of ten years, he may, subject to the payment of non-utilization charges specified in the second proviso, be permitted by the Collector to do so for any non-agricultural use permissible in the draft or final Development plan or Regional plan or Town Planning Scheme, as the case may be, for the remaining period out of the specified period of ten years, from the date of first transfer of the said land for such non-agricultural use, subject to the condition that the transferee shall have to deposit transfer charges at the rate of twenty-five per cent, of the market value of such land as per current Annual Statement of Rates.

(2) Nothing in this section shall be deemed to prohibit the sale, gift, exchange or lease of a dwelling house or the site thereof or any land appurtenant to it in favour of an agricultural labourer or an artisan or a person carrying on any allied pursuit.

(3) Nothing in this section shall apply or be deemed to have applied to a mortgage of any land or interest therein effected in favour of a co-operative society as security for the loan advanced by such society or any transfer declared to be a mortgage by a court under section 24 of the Bombay Agricultural Debtor's Relief Act, 1947.

(4) Nothing in section 63A shall apply to any sale made under sub-section (1).

63-1A. (1) Notwithstanding anything contained in section 63, it shall be lawful for a person to sell land, without permission of the Collector, to any person who is or is not an agriculturist and who intends to convert the same to a bona fide industrial use or for Integrated Township Projects, as the case may be, where such land is located within,—

Transfer to non-agriculturist for bona-fide industrial use.

(i) the agricultural zone of a draft or final regional plan or draft or final town planning scheme, as the case may be, prepared under the Maharashtra Regional and Town Planning Act, 1966 or any other law for the time being in force, and plans or schemes and the development control regulations or rules framed under such Act or any of such laws for the time being in force permit industrial use of land; or

(ii) the area where no such plan or scheme as aforesaid exists or;

(iii) the area taken over by a private developer for development of an Integrated township project:

Provided that, where such purchase of land is for bona fide industrial use, it shall be subject to the condition that such land shall be put to bona fide industrial use within a period of five years from the date of purchase:

Provided further that, after the expiry of the aforesaid period of five years, an extension of time not exceeding further five years may be granted by the Collector on payment of non-utilization charges at the rate of two per cent. of the market value of such land per annum, where such market value is calculated as per the Annual Statement or Rates published under the Maharashtra Stamp

(Determination of True Market Value of Property) Rules, 1995, as applicable on the date of grant of such extension of time:

Provided also that, if the purchaser fails to put the land to bona fide industrial use within a period of five years or, where non-utilization charges as aforesaid have been paid, within a total period of ten years, then the Collector shall resume such land after giving one month's notice to the said defaulting purchaser, and the land so resumed by the Collector shall vest in the Government, free from all encumbrances, and shall first be offered to the original land holder by way of grant, on the same tenure on which it was initially held by such land holder before its sale for such bona fide industrial use and at the same price at which it had been sold by the original land holder for such bona fide industrial use:

Provided also that, if the original land holder fails to accept the offer to purchase the said land within a period of ninety days from the date of receipt of such offer from the Collector or having accepted such offer, fails to deposit with the Collector the required amount within a further period of ninety days, such land shall be auctioned for any use consistent with and permissible under the Development plan or Regional plan or Town Planning Scheme, as the case may be, if any, sanctioned under the Maharashtra Regional and Town Planning Act, 1966 or any other law for the time being in force; and in both the cases, the defaulting purchaser shall only be entitled to compensation equal to the price at which such land had been purchased by him, and the Collector shall remit such compensation to the defaulting purchaser within a period of ninety days from the date of receipt of payment under the said auction:

Provided also that, the purchaser who fails to put the land to bona-fide industrial use within five years from the date of the purchase, and is on the date of coming into force of the Maharashtra Tenancy and Agricultural Lands Laws (Amendment) Act, 2004, holding such land without having been put to the bona-fide industrial use, shall be permitted to put such land to the bona-fide industrial use within the remaining period from the total period of fifteen years, subject to the condition that,—

(a) In the land purchased under sub-section (1) was held by the seller as the Occupant Class-II, such purchaser land holder shall pay an additional amount equal to 48 per cent. of the price for which it was originally purchased and three times of an annual assessment of non-agricultural tax payable under the Maharashtra Land Revenue Code, 1966 as a non-utilisation tax per year;

(b) if the land purchased under sub-section (1) was held by the seller as the Occupant Class-I, such purchaser land holder shall pay an amount equal to three times of an annual-assessment of the non-agricultural tax payable under the Maharashtra Land Revenue Code, 1966 as a non-utilisation tax per year:

Provided also that, the provisions of this sub-section shall not apply to the areas notified as the Eco-sensitive zone by the Government of India:

Provided also that, where the land being sold is owned by a person belonging to the Scheduled Tribe, such sale of land shall be subject to the provisions of sections 36 and 36A of the Maharashtra Land Revenue Code, 1966 and of the Maharashtra Restoration of Lands to Scheduled Tribes Act, 1974.

(2) If, the land being purchased under sub-section (1) is held by Occupant-Class II, the purchaser shall pay to the Collector, an amount equal to two per cent. of the purchase price, in case the purchase of land is bona-fide industrial use and fifty per cent. of the purchase if the purchase of land is for Integrated township project within ninety days of the execution of the sale deed irrespective

of the tenure of such land. This payment shall be in lieu of any nazarana or such other charges which may otherwise be payable by such Occupant-Class II by or under the provisions of the Maharashtra Land Revenue Code, 1966. In addition, the purchaser of such land shall pay the non-agricultural assessment as may be levied by the Collector under sections 67 and 115 of the Maharashtra Land Revenue Code, 1966:

Provided that, if such purchaser fails to deposit such amount within ninety days then such purchaser shall pay to the Government an amount equal to seventy five per cent. of the purchase price or the market value of the land as per the Annual Statement of Rates of that year, whichever is higher.

Explanation.— While computing the period of ninety days, the period, if any, spent in ascertaining from the office of the Collector the amount to be paid under this sub-section, the Head of account in which it is to be paid or issuing a Challan for that purpose shall be excluded.

(3) The person purchasing the land under sub-section (1) for conversion thereof for a bona fide industrial use, or for Integrated Township Project, as the case may be, shall give intimation of the date, on which the change of user of the land commenced, within thirty days from such date, to the Collector.

(4) If the person fails to inform the Collector within the period specified in sub-section (3), he shall be liable to pay in addition to the non-agricultural assessment which may be leviable by or under the provisions of the Maharashtra Land Revenue Code, 1966 such penalty not exceeding twenty times the amount of non-agricultural assessment as the Collector may, subject to the rules, if any, made by the State Government in this behalf, direct.

(5) if the person purchasing the land under sub-section (1) for conversion thereof for a bona fide industrial use, fails to utilize the said land for bona fide industrial use, fully or partly, and wants to sell the same before the expiry of the total specified period of ten years, he may, subject to the payment of non-utilization charges specified in the second proviso to sub-section (1), be permitted by the Collector to do so for the remaining period out of the specified period of ten years from the date of original purchase, subject to the following conditions, namely :—

(i) where the said land is to be sold for bona fide industrial use, the transferor shall have to deposit with the Collector the transfer charges at the rate of twenty-five per cent. of the market value of such land as per the current Annual Statement of Rates;

(ii) where the said land is to be sold for any non-agricultural purpose other than the bona fide industrial use, which is consistent with the draft or final Development plan or Regional plan or Town Planning Scheme, if any, made under the Maharashtra Regional and Town Planning Act, 1966 or any other law for the time being in force, the transferor shall have to deposit with Collector conversion charges equal to fifty per cent. of the market value of such land as per the current Annual Statement of Rates and in case of Occupant Class-II land, and additional amount equal to forty-eight per cent. of the price at which such land was originally purchased, in lieu of the nazarana.

Explanation.— For the purposes of this section,—

(a) the expression “bona fide industrial use” means the activity of manufacture, preservation or processing of goods, or any handicraft, or industrial business or enterprise, carried on by any person, or the activity of tourism within

the areas notified by the State Government as the tourist place or hill station, and shall include construction of industrial buildings used for the manufacturing process or purpose, or power projects and ancillary industrial usage like research and development unit pertaining to bona fide industrial use, godown, canteen, office building of the industry concerned, or providing housing accommodation to the workers of the industry concerned, or establishment of an industrial estate including a co-operative industrial estate, service industry, cottage industry, gramodyog units or gramodyog vasahats.

(aa) “Integrated Township Project” means the Integrated Township Project or projects under the Regulations framed for Development of Integrated Township by the Government under the provisions of the Maharashtra Regional and Town Planning Act, 1966 or any other law for the time being in force.

(b) “Scheduled Tribes” means such tribes or tribal communities or parts of, or groups within, such tribes or tribal communities as are deemed to be Scheduled Tribes in relation to the State of Maharashtra under article 342 of the Constitution of India and persons, who belong to the tribes or tribal communities, or parts of, or groups within, tribes or tribal communities specified in Part IX of the Schedule to the Order made under the said article 342, but who are not resident in the localities specified in that order who nevertheless need the protection of this section (and it is hereby declared that they do need such protection) shall, for the purposes of this section, be treated in the same manner as members of the Scheduled Tribes.

(6) if a person purchasing the land under sub-section (1) for conversion thereof for a bona-fide industrial use, fails to utilize the said land for bona-fide industrial purpose, fully or partly, and intends to utilize the same, before the expiry of the total specified period of ten years, for any alternative non-agricultural purpose other than the bona-fide industrial use, which is consistent with the draft or final Development plan or Regional Plan, if any, made under the Maharashtra Regional and Town Planning Act, 1966 so as to put such land to the intended alternative use within the remaining period out of the specified period of ten years from the date of original purchase, he may be permitted by the Collector to do so subject to payment of,—

(i) non-utilization charges specified in second proviso to sub-section (1);

(ii) conversion charges equal to fifty per cent. of the market value of such land as per the current Annual Statement of Rates published under the Maharashtra Stamp (Determination of True Market Value of Property Rules, 1995; and

(iii) in case of Occupant-Class II lands, an additional amount equal to forty eight per cent. of the price at which such land was originally purchased, in lieu of the nazrana payable to the Government.

63A.	*	*	*	*
64. to 90.	*	*	*	*
SCHEDULES	*	*	*	*

**(Extracts from the Hyderabad Tenancy and
Agricultural Lands Act, 1950)
(Mah. XXI of 1950)**

1. to 46. * * * *

46A. to 46E. * * * *

47. (1) Save as provided in this Act,—

(a) no permanent alienation (including sale in execution of a decree of a civil court, or for recovery of arrears of land revenue, or for sum recoverable as arrears of land revenue) or lease of any land or interest therein (not being permanent alienation or lease of dwelling house or the site thereof or of any land appertaining to it, in favour of an agricultural labourer or an artisan), or

Transfer to
non-
agriculturists
barred.

(b) no mortgage of any land or interest therein which the possession of the mortgaged property is delivered to the mortgagee (not being a mortgage of any land or interest therein effected in favour of a co-operative bank as security for any loan advanced by such bank or any transfer declared to be mortgage by a court under section 24 of Hyderabad Agricultural Debtors' Relief Act, 1956),

shall be valid in favour of a person, who is not an agriculturist or an agricultural labourer or who being an agriculturist or an agricultural labourer, will, after such permanent alienation or lease or mortgage aforesaid hold land as landholder or tenant or partly as landholder and partly as tenant exceeding the ceiling area determined under the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961 as amended by the Maharashtra Agricultural Lands (Lowering of Ceiling on Holdings) and (Amendment) Act, 1972 :

Provided that, the Collector or any officer authorised by the State Government in this behalf may grant permission for such permanent alienation, lease or mortgage in such circumstances and subject to such conditions as may be prescribed. Such permission shall not be granted, where land is being sold to a person who is not an agriculturist for agricultural purposes, if the annual income of such person from other sources is Rs. 12,000 or more.

Explanation.— For the purpose of this sub-section, the expression “agriculturist” shall include any person and his heirs whose land has been acquired for a public purpose and who as a result of such acquisition has been rendered landless from the date of such acquisition.

(2) Where any condition subject to which permission for any permanent alienation or lease or mortgage is granted is contravened, then the land in respect of which such permission was granted shall be liable to be forfeited in accordance with the provisions of section 98C-2.

(3) Where permission is granted to any permanent alienation or lease or mortgage of land under sub-section (1), any subsequent permanent alienation lease or mortgage of such land shall also be subject to the provisions of sub-section (1).

(3A) Nothing in sub-section (1) shall apply to the land situated within the limits of a Municipal Corporation or a Municipal Council, or within the jurisdiction of a Special Planning Authority or a New Town Development Authority appointed or constituted under the provisions of the Maharashtra Regional and Town Planning Act, 1966 or any other law for the time being in

force, and also to any land allocated to residential, commercial, industrial or any other non-agricultural use in the draft or final Regional plan or Town Planning Scheme, as the case may be, prepared under the Maharashtra Regional and Town Planning Act, 1966 or any other law for the time being in force :

Provided that, any transfer of land in favour of a person who is not an agriculturist for any non-agricultural use such as residential, commercial, industrial or any other non-agricultural use, shall be subject to the condition that such land shall be put to such non-agricultural use within a period of five years from the date of transfer, and due entry of such condition shall be made in the Record of Rights of such land :

Provided further that, in respect of land transferred for any non-agricultural use permissible in the draft or final Development plan or Regional plan or Town Planning Scheme, as the case may be, after the expiry of the aforesaid period of five years, an extension of time not exceeding further five years may be granted by the Collector on payment of non-utilization charges at the rate of two per cent. of the market value of such land per annum, where such market value shall be calculated as per the Annual Statement of Rates published under the Bombay Stamp (Determination of True Market Value of Property) Rules, 1995, as applicable on the date of grant of such extension of time:

Provided also that, if the transferee, including subsequent transferee, if any, fails to put the land to non-agricultural use permissible in the draft or final Development plan or Regional plan or Town Planning Scheme, as the case may be, within a period of five years or, where non-utilization charges as aforesaid have been paid, within the total period of ten years, then the Collector shall resume such land after giving one month's notice to the said defaulting transferee, and the land so resumed by the Collector shall vest in the Government free from all encumbrances, and shall first be offered to the original land-holder by way of grant, on the same tenure on which it was initially held by such original landholder before its transfer for such non-agricultural use and at the same price at which it had been transferred by the original landholder for such non-agricultural use :

Provided also that, if the original landholder fails to accept the offer to purchase the said land within a period of ninety days from the date of receipt of such offer from the Collector or having accepted such offer, fails to deposit with the Collector the required amount within a further period of ninety days, such land shall be auctioned for any use consistent with and permissible under the draft or final Development plan or Regional plan or Town Planning Scheme, as the case may be; and in both the cases, the defaulting transferee shall only be entitled to compensation equal to the price at which such land had been purchased by him and the Collector shall remit such compensation to the defaulting transferee within a period of ninety days from the date of receipt of payment under the said auction :

Provided also that, if a person who is not an agriculturist fails to utilize the said land for the non-agricultural use permissible in the draft or final Development plan or Regional plan or Town Planning Scheme, as the case may be, fully or partly, and wants to sell the same subsequently, before the expiry of the total specified period of ten years, he may, subject to the payment of non-utilization charges specified in the second proviso, be permitted by the Collector to do so for any non-agricultural use permissible in the draft or final Development plan or Regional plan or Town Planning Scheme, as the case may be, for the remaining period out of the specified period of ten years, from the date of first transfer of the said land for such nonagricultural use, subject to the

condition that the transferee shall have to deposit transfer charges at the rate of twenty-five per cent of the market value of such land as per current Annual Statement of Rates.

(4) Nothing in section 50C shall apply to any sale made under sub-section (1).

47A. (1) Notwithstanding anything contained in section 47, it shall be lawful for a person to sell land, without permission of the Collector, to any person who is or is not an agriculturist and who intends to convert the same to a bona fide industrial use or for Integrated Township Project, as the case may be. where such land is located within—

Transfer
to non-
agriculturist
for bonafide
industrial use.

(i) the agricultural zone of a draft or final Regional Plan or draft or final Town Planning Scheme, as the case may be, prepared under the Maharashtra Regional and Town Planning Act, 1966 or any other law for the time being in force, and plans or schemes and the development control regulations or rules framed under such Act or any of such laws for the time being in force permit industrial use of land; or

(ii) the area where no such plan or scheme as aforesaid exists; or

(iii) the area taken over by a private developer for development of Integrated Township Project:

Provided that, where such purchase of land is for bona fide industrial use, it shall be subject to the condition that such land shall be put to bona fide industrial use within a period of five years from the date of purchase :

Provided further that, after the expiry of the aforesaid period of five years, an extension of time not exceeding further five years may be granted by the Collector on payment of non-utilization charges at the rate of two per cent. of the market value of such land per annum, where such market value is calculated as per the Annual Statement of Rates published under the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995, as applicable on the date of grant of such extension of time.

Provided also that, if the purchaser fails to put the land to bona fide industrial use within a period of five years or, where non-utilization charges as aforesaid have been paid, within a total period of ten years, then the Collector shall resume such land after giving one month's notice to the said defaulting purchaser, and the land so resumed by the Collector shall vest in the Government, free from all encumbrances, and shall first be offered to the original landholder by way of grant, on the same tenure on which it was initially held by such landholder before its sale for such bona fide industrial use and at the same price at which it had been sold by the original landholder for such bona fide industrial use :

Provided also that, if the original landholder fails to accept the offer to purchase the said land within a period of ninety days from the date of receipt of such offer from the Collector or having accepted such offer, fails to deposit with the Collector the required amount within a further period of ninety days, such land shall be auctioned for any use consistent with and permissible under the Development plan or the Regional plan, as the case may be, if any, sanctioned under the Maharashtra Regional and Town Planning Act, 1966 or any other law for the time being in force; and in both the cases, the defaulting purchaser shall only be entitled to compensation equal to the price at which such land had been purchased by him, and the Collector shall remit such compensation to the defaulting purchaser within a period of ninety days from the date of receipt of payment under the said auction :

Provided also that, the purchaser who fails to put the land to bona fide industrial use within five years from the date of the purchase, and is on the date of coming into force of the Maharashtra Tenancy and Agricultural Lands Laws (Amendment) Act, 2004, holding such land without having been put to the bona fide industrial use, shall be permitted to put such land to bona fide industrial use within the remaining period from the total period of fifteen years, subject to the condition that,—

(a) if the land purchased under sub-section (1) was held by the seller as the Occupant Class-II, such purchaser landholder shall pay an additional amount equal to 48 per cent of the price for which it was originally purchased and three times of an annual assessment of non-agricultural tax payable under the Maharashtra Land Revenue Code, 1966 as a non-utilization tax per year;

(b) if the land purchased under sub-section (1) was held by the seller as the Occupant Class-I, the purchaser landholder shall pay three times of an annual assessment of the non-agricultural tax payable under the Maharashtra Land Revenue Code, 1966 as a non-utilization tax per year :

Provided also that, the provisions of this sub-section shall not apply to the areas notified as the Eco-sensitive Zone by the Government of India] :

Provided also that, where the land being sold belongs to a person belonging to the Scheduled Tribe, such sale of land shall be subject to the provisions of sections 36 and 36A of the Maharashtra Land Revenue Code, 1966 and of the Maharashtra Restoration of Lands to Scheduled Tribes Act, 1974.

(2) if the land to be purchased under sub-section (1) is held by Occupant Class-II, the purchaser shall pay to the Collector, an amount equal to two per cent. of the purchase price, in case the purchase of land is for bona fide industrial use and fifty per cent. of the purchase price, if the purchase of land is for Integrated Township Project within ninety days of the execution of the sale-deed irrespective of the tenure of such land. This payment shall be in lieu of any nazrana or such other charges which may otherwise be payable by such Occupant Class-II by or under the provisions of the Maharashtra Land Revenue Code, 1966. In addition, the purchaser of such land shall pay the non-agricultural assessment as may be levied by the Collector under sections 67 and 115 of the Maharashtra Land Revenue Code, 1966 :

Provided that, if such land purchaser fails to deposit such amount within one month, then such purchaser shall pay to the Government an amount equal to seventy-five per cent. of the purchase price or the market value of the land as per the Annual Statement of Rates of that year, whichever is higher.

Explanation.-While computing the period of ninety days, the period, if any spent in ascertaining from the office of the Collector the amount to be paid under this sub-section, the Head of account in which it is to be paid or issuing a Challan for that purpose shall be excluded.

(3) The person purchasing the land under sub-section (1) for conversion thereof for a bona fide industrial use or for Integrated Township Project, as the case may be, shall give intimation of the date, on which the change of user of land commenced, within thirty days from such date, to the Collector.

(4) If the person fails to inform to the Collector within the period specified in sub-section (3), he shall be liable to pay in addition to the non-agricultural assessment which may be leviable by or under the provisions of the Maharashtra Land Revenue Code, 1966, such penalty not exceeding twenty times the amount of non-agricultural assessment, as the Collector may, subject to the rules, if any, made by the State Government in this behalf, direct.

(5) If the person purchasing the land under sub-section (1) for conversion thereof for a bona fide industrial use, fails to utilize the said land for bona fide industrial use, fully or partly, and wants to sell the same before the expiry of the total specified period of ten years, he may, subject to the payment of non-utilization charges specified in the second proviso to sub-section (1), be permitted by the Collector to do so for the remaining period out of the specified period of ten years from the date of original purchase, subject to the following conditions, namely :—

(i) where the said land is to be sold for bona fide industrial use, the transferor shall have to deposit with the Collector the transfer charges at the rate of twenty-five per cent of the value of such land as per the current Annual Statement of Rates;

(ii) where the said land is to be sold for any non-agricultural purpose other than the bona fide industrial use, which is consistent with the draft or final Development plan or Regional plan or Town Planning Scheme, if any, made under the Maharashtra Regional and Town Planning Act, 1966 or any other law for the time being in force, the transferor shall have to deposit with the Collector the conversion charges equal to fifty per cent of the market value of such land as per the current Annual Statement of Rates and in case of Occupant Class-II land, an additional amount equal to forty-eight per cent of the price at which such land was originally purchased, in lieu of the nazarana.

Explanation.—For the purposes of this section,—

(a) the expression “bona fide industrial use” means the activity of manufacture, preservation or processing of goods, or any handicraft, or industrial business or enterprise, carried on by any person or the activity of tourism within the areas notified by the State Government as the tourist place or hill station and shall include construction of industrial buildings used for the manufacturing process or purpose, or power projects and ancillary industrial usage like research and development units pertaining to bona fide industrial use, godown, canteen, office building of the industry concerned], or providing housing accommodation to the workers of the industry concerned, or establishment of an industrial estate including a co-operative industrial estate, service industry, cottage industry, gramodyog units or gramodyog vasahats.

(aa) “Integrated Township Project” means the Integrated Township Project or projects under the Regulations framed for development of Integrated Township by the Government under the provisions of the Maharashtra Regional and Town Planning Act, 1966 or any other law for the time being in force.

(b) “Scheduled Tribes” means such tribes or tribal communities or parts of, or groups within, such tribes or tribal communities as are deemed to be Scheduled Tribes in relation to the State of Maharashtra under article 342 of the Constitution of India and persons, who belong to the tribes or tribal communities, or parts of, or groups within, tribes or tribal communities specified in Part IX of the Schedule to the Order made under the said article 342, but who are not resident in the localities specified in that order who nevertheless need the protection of this section (and it is hereby declared that they do need such protection) shall, for the purposes of this section, be treated in the same manner as members of the Scheduled Tribes.

(6) If a person purchasing the land under sub-section (1) for conversion thereof for a bona-fide industrial use, fails to utilize the said land for bona-fide industrial purpose, fully or partly, and intends to utilize the same, before the expiry of the total specified period of ten years, for any alternative non-

agricultural purpose other than the bona-fide industrial use, which is consistent with the draft or final Development Plan or Regional Plan, if any, made under the Maharashtra Regional and Town Planning Act, 1966, so as to put such land to the intended alternative use within the remaining period out of the specified period of ten years from the date of original purchase, he may be permitted by the Collector to do so subject to payment of,—

(i) non-utilization charges specified in second proviso to sub-section (1) ;

(ii) conversion charges equal to fifty per cent. of the market value of such land as per the current Annual Statement of Rates published under the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995 ; and

(iii) in case of Occupant-Class II lands, an additional amount equal to forty eight per cent. of the price at which such land was originally purchased, in lieu of the nazrana payable to the Government.”.

48. and 49. * * * *

50A. * * * *

Restrictions
on transfers
of land
purchased or
sold under
this Act.

50B. (1) No land purchased by a tenant under sections 38, 38A, 38E, 38F, 38G, 38H or 46D or 48, or sold to any person under sections 53F, 53G, 53H, or 98C shall be transferred by sale, gift, exchange, mortgage, lease or assignment without the previous sanction of the Collector:

Provided that, no such previous sanction shall be necessary for the sale, gift, exchange, mortgage, lease or assignment of the land in respect of which ten years have elapsed from the date of purchase or sale of land under the sections mentioned in this sub-section, subject to the conditions that,—

(a) before selling the land, the seller shall pay a nazarana equal to forty times the assessment of the land revenue to the Government;

(b) the purchaser shall be an agriculturist;

(c) the purchaser shall not hold the land in excess of the ceiling area permissible under the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961; and

(d) the provisions of the Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947 shall not be violated.

(2) Any transfer of land in contravention of subsection (1) shall be invalid.

50C. * * * *

51. to 104. * * * *

**(Extracts from the Maharashtra Tenancy and Agricultural Lands
(Vidharbha Region Act)**

(Mah. XCIX of 1958)

1. to 56.

* * * *

57. (1) No land purchased by a tenant under section 41 or 46 or 49A 57D or 130 or sold to any person under section 91 or 122 shall be transferred by sale, gift, exchange, mortgage, lease or assignment without the previous sanction of the Collector. Such sanction shall be given by the Collector in such circumstances and subject to such conditions as may be prescribed by the State Government. Restriction on transfers of land purchased or sold under this Act.

Provided that, no such previous sanction shall be necessary for the sale, gift, exchange, mortgage, lease or assignment of the land in respect of which ten years have elapsed from the date of purchase or sale of land under the sections mentioned in this sub-section, subject to the conditions that,—

(a) before selling the land, the seller shall pay a nazarana equal to forty times the assessment of the land revenue to the Government;

(b) and (c) * * * *

(2) * * * *

57A. to 57E. * * * *

58. to 88. * * * *

89. (1) Save as provided in this Act,—

(a) no sale (including sales in execution of a decree of a Civil Court or for recovery of arrears of land revenue or for sums recoverable as arrears of land revenue), gift, exchange or lease of any land or interest therein, or Transfer to non-agriculturists barred.

(b) no mortgage of any land or interest therein, in which the possession of the mortgaged property is delivered to the mortgagee,

shall be valid in favour of a person who is not an agriculturist or who being an agriculturist will, after such sale, gift, exchange, lease or mortgage, hold land as tenure-holder or tenant or partly as tenure-holder and partly as tenant exceeding the ceiling area] determined under the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961 as amended by the Maharashtra Agricultural Lands (Lowering of Ceiling on Holdings) (Amendment) Act, 1972 or who is not an agricultural labourer:

Provided that the Collector or an officer authorised by the State Government in this behalf may grant permission for such sale, gift, exchange, lease or mortgage, in such circumstances and subject to such conditions] as may be prescribed. Such permission shall not be granted, where land is being sold to a person who is not an agriculturists for agricultural purposes, if the annual income of such person from other sources is Rs. 12,000 or more.

Explanation.— For the purpose of this sub-section, the expression “agriculturist” shall include any person and his heirs whose land has been acquired for a public purpose and who as a result of such acquisition has been rendered landless from the date of such acquisition.

(1A) Where any condition subject to which permission to transfer was granted is contravened, then the land in respect of which such permission was granted shall be liable to be forfeited in accordance with the provisions of section 122A.

(1B) Where permission is granted to any transfer of land under sub-section (1), any subsequent transfer of such land shall also be subject to the provisions of sub-section (1).

(1C) Nothing in sub-section (1) shall apply to the land situated within the limits of a Municipal Corporation or a Municipal Council, or within the jurisdiction of a Special Planning Authority or a New Town Development Authority appointed or constituted under the provisions of the Maharashtra Regional and Town Planning Act, 1966 or any other law for the time being in force, and also to any land allocated to residential, commercial, industrial or any other non-agricultural use in the draft or final Regional Plan or Town Planning Scheme, as the case may be, prepared under the Maharashtra Regional and Town Planning Act, 1966 or any other law for the time being in force:

Provided that, any transfer of land in favour of a person who is not an agriculturist for any non-agricultural use such as residential, commercial, industrial or any other non-agricultural use, shall be subject to the condition that such land shall be put to such non-agricultural use within a period of five years from the date of transfer, and due entry of such condition shall be made in the Record of Rights of such land:

Provided further that, in respect of land transferred for any non-agricultural use permissible in the draft or final Development plan or Regional plan or Town Planning Scheme, as the case may be, after the expiry of the aforesaid period of five years, an extension of time not exceeding further five years may be granted by the Collector on payment of non-utilization charges at the rate of two per cent. of the market value of such land per annum, where such market value shall be calculated as per the Annual Statement of Rates published under the Bombay Stamp (Determination of True Market Value of Property) Rules, 1995, as applicable on the date of grant of such extension of time:

Provided also that, if the transferee, including subsequent transferee, if any, fails to put the land to non-agricultural use permissible in the draft or final Development plan or Regional plan or Town Planning Scheme, as the case may be, within a period of five years or, where non-utilization charges as aforesaid have been paid, within the total period of ten years, then the Collector shall resume such land after giving one month's notice to the said defaulting transferee, and the land so resumed by the Collector shall vest in the Government free from all encumbrances, and shall first be offered to the original land holder by way of grant, on the same tenure on which it was initially held by such original land holder before its transfer for such non-agricultural use and at the same price at which it had been transferred by the original land holder for such non-agricultural use:

Provided also that, if the original land holder fails to accept the offer to purchase the said land within a period of ninety days from the date of receipt of such offer from the Collector or having accepted such offer, fails to deposit with the Collector the required amount within a further period of ninety days, such land shall be auctioned for any use consistent with and permissible under the draft or final Development plan or Regional plan or Town Planning Scheme, as the case may be; and in both the cases, the defaulting transferee shall only be entitled to compensation equal to the price at which such land had been purchased by him and the Collector shall remit such compensation to the defaulting transferee within a period of ninety days from the date of receipt of payment under the said auction:

Provided also that, if a person who is not an agriculturist fails to utilize the said land for the nonagricultural use permissible in the draft or final Development plan or Regional plan or Town Planning Scheme, as the case may be, fully or partly, and wants to sell the same subsequently, before the expiry of the total specified period of ten years, he may, subject to the payment of non-utilization charges specified in the second proviso, be permitted by the Collector to do so for any non-agricultural use permissible in the draft or final Development plan or Regional Plan or Town Planning Scheme, as the case may be, for the remaining period out of the specified period of ten years, from the date of first transfer of the said land for such non-agricultural use, subject to the condition that the transferee shall have to deposit transfer charges at the rate of twenty-five per cent. of the market value of such land as per current Annual Statement of Rates.

(2) Nothing in this section shall be deemed to prohibit the sale, gift, exchange or lease of a dwelling house or the site thereof or any land appurtenant to it in favour of an agricultural labourer or an artisan.

(3) Nothing in this section shall apply to a mortgage of any land or interest therein effected in favour of a co-operative society as security for the loan advanced by such society.

(4) Nothing in section 90 shall apply to any sale made under sub-section (1).

89A. (1) Notwithstanding anything contained in section 89, it shall be lawful for a person to sell land without permission of the Collector, to any person who is or is not an agriculturist and who intends to convert the same to a bona-fide industrial use or for Integrated Township Projects, as the case may be, where such land is located within,—

Transfer to non-agriculturist for bona-fide Industrial use.

(i) the agricultural zone of a draft or final Regional plan or draft or final Town Planning Scheme, as the case may be, prepared under the Maharashtra Regional and Town Planning Act, 1966 or any other law for the time being in force, and plans or schemes and the development control regulations or rules framed under such Act or any of such laws for the time being in force permit industrial use of land; or

(ii) the area where no such plan or scheme as aforesaid exists or;

(iii) the area taken over by a private developer for development of an Integrated Township Project:

Provided that, where such purchase of land is for bona fide industrial use, it shall be subject to the condition that such land shall be put to bona fide industrial use within a period of five years from the date of purchase:

Provided further that, after the expiry of the aforesaid period of five years, an extension of time not exceeding further five years may be granted by the Collector on payment of non-utilization charges at the rate of two per cent. of the market value of such land per annum, where such market value is calculated as per the Annual Statement of Rates published under the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995, as applicable on the date of grant of such extension of time:

Provided also that, if the purchaser fails to put the land to bona fide industrial use within a period of five years or, where non-utilization charges as aforesaid have been paid, within a total period of ten years, then the Collector shall resume such land after giving one month's notice to the said defaulting purchaser, and the land so resumed by the Collector shall vest in the Government, free from all encumbrances, and shall first be offered to the original

land holder by way of grant, on the same tenure on which it was initially held by such land holder before its sale for such bona fide industrial use and at the same price at which it had been sold by the original land holder for such bona fide industrial use:

Provided also that, if the original land holder fails to accept the offer to purchase the said land within a period of ninety days from the date of receipt of such offer from the Collector or having accepted such offer, fails to deposit with the Collector the required amount within a further period of ninety days, such land shall be auctioned for any use consistent with and permissible under the Development plan or Regional plan or Town Planning Scheme, as the case may be, if any, sanctioned under the Maharashtra Regional and Town Planning Act, 1966 or any other law for the time being in force; and in both the cases, the defaulting purchaser shall only be entitled to compensation equal to the price at which such land had been purchased by him, and the Collector shall remit such compensation to the defaulting purchaser within a period of ninety days from the date of receipt of payment under the said auction:

Provided also that, the purchaser who fails to put the land to bona-fide industrial use within five years from the date of the purchase and is on the date of coming into force of the Maharashtra Tenancy and Agricultural Lands Laws (Amendment) Act, 2004, holding such land without having been put to bona-fide industrial use, shall be permitted to put such land to bona-fide industrial use within the remaining period from the total period of fifteen years, subject to the condition that,—

(a) If the land purchased under sub-section (1) was held by the seller as the Occupant Class-II, such purchaser land holder shall pay an additional amount equal to 48 per cent. of the price for which it was originally purchased and three times of an annual assessment of non-agricultural tax payable under the Maharashtra Land Revenue Code, 1966 as a non-utilisation tax per year;

(b) If the land purchased under sub-section (1) was held by the seller as the Occupant Class-I, the purchaser land holder shall pay three times of an annual assessment of the non-agricultural tax payable under the Maharashtra Land Revenue Code, 1966 as a non-utilisation tax per year:

Provided also that, the provisions of this sub-section shall not apply to the areas notified as the Eco-sensitive Zone by the Government of India:

Provided also that, where the land being sold is owned by a person belonging to the Scheduled Tribe, such sale of land shall be subject to the provisions of sections 36 and 36A of the Maharashtra Land Revenue Code, 1966 and of the Maharashtra Restoration of Lands to Scheduled Tribes Act, 1974.

(2) If the land being purchased under sub-section (1) is held by Occupant-Class II, the purchaser shall pay to the collector, an amount equal to two per cent. of the purchase price, in case the purchase of land is for bona-fide industrial use and fifty per cent. of the purchase price, if the purchase of land is for Integrated Township Project within Ninety Days of the execution of the sale-deed irrespective of the tenure of such land. This payment shall be in lieu of any nazarana or such other charges which may otherwise be payable by such Occupant-Class II by or under the provisions of the Maharashtra Land Revenue Code, 1966. In addition, the purchaser of such land shall pay the non-agricultural assessment as may be levied by the Collector under sections 67 and 115 of the Maharashtra Land Revenue Code, 1966:

Provided that, if such purchaser fails to deposit such amount within Ninety Days, then such purchaser shall pay to the Government an amount equal to seventy-five per cent. of the purchase price or the market value of the land as per the Annual Statement of Rates of that year, whichever is higher.

Explanation.— While computing the period of ninety days, the period, if any, spent in ascertaining from the office of the Collector the amount to be paid under this sub-section, the Head of account in which it is to be paid or issuing a Challan for that purpose shall be excluded.

(3) The person purchasing the land under sub-section (1) for conversion thereof for a bona-fide industrial use or for Integrated Township Project, as the case may be, shall give intimation of the date, on which the change of user of the land commenced, within thirty days from such date to the Collector.

(4) If the person fails to inform the Collector within the period specified in sub-section (3), he shall be liable to pay in addition to the non-agricultural assessment which may be leviable by or under the provisions of the Maharashtra Land Revenue Code, 1966 such penalty not exceeding twenty times the amount of non-agricultural assessment, as the Collector may, subject to the rules, if any, made by the State Government in this behalf, direct.

(5) If the person purchasing the land under sub-section (1) for conversion thereof for a bona fide industrial use, fails to utilize the said land for bona fide industrial use, fully or partly, and wants to sell the same before the expiry of the total specified period of ten years, he may, subject to the payment of non-utilization charges specified in the second proviso to sub-section (1), be permitted by the Collector to do so for the remaining period out of the specified period of ten years from the date of original purchase, subject to the following conditions, namely :—

(i) Where the said land is to be sold for bona fide industrial use, the transferor shall have to deposit with the Collector transfer charges at the rate of twenty-five per cent. of the market value of such land as per the current Annual Statement of Rates;

(ii) where the said land is to be sold for any non-agricultural purpose other than the bona fide industrial use, which is consistent with the draft or final Development plan or Regional plan or Town Planning Scheme, if any, made under the Maharashtra Regional and Town Planning Act, 1966 or any other law for the time being in force, the transferor shall have to deposit with the Collector conversion charges equal to fifty per cent. of the market value of such land as per the current Annual Statement of Rates and in case of Occupant Class-II land, an additional amount equal to forty-eight per cent. of the price at which such land was originally purchased, in lieu of the nazarana.

Explanation.— For the purposes of this section,—

(a) the expression “bona-fide industrial use” means the activity of manufacture, preservation or processing of goods, or any handicraft, or industrial business or enterprise, carried on by any person, ‘or the activity of tourism within the areas notified by the State Government as the tourist place or hill station,’] and shall include construction of industrial buildings used for the manufacturing process or purpose, or power projects and ancillary industrial usages like research and development units pertaining to bona fide industrial use, godown, canteen, office building of the industry concerned or providing housing accommodation to the workers of the industry concerned or establishment of an industrial estate including a co-operative industrial estate, service industry, cottage industry, gramodyog units or gramodyog vasahats;

(aa) “Integrated Township Project” means the Integrated Township Project or projects under the Regulations framed for development of Integrated Township by the Government under the provisions of the Maharashtra Regional and Town Planning Act, 1966 or any other law for the time being in force;

(b) “Scheduled Tribes” means such tribes or tribal communities or parts of, or groups within such tribes or tribal communities as are deemed to be Scheduled Tribes in relation to the State of Maharashtra under article 342 of the Constitution of India and persons who belong to the tribes or tribal communities or parts of or groups within tribes or tribal communities specified in Part IX of the Schedule to the Order made under the said article 342, but who are not resident in the localities specified in that Order who nevertheless need the protection of this section (and it is hereby declared that they do need such protection) shall for the purposes, of this section, be treated in the same manner as members of the Scheduled Tribes.

(6) If a person purchasing the land under sub-section (1) for conversion thereof for a bona fide industrial use, fails to utilize the said land for bona fide industrial purpose, fully or partly, and intends to utilize the same, before the expiry of the total specified period of ten years, for any alternative non-agricultural purpose other than the bona fide industrial use, which is consistent with the draft or final Development Plan or Regional Plan, if any, made under the Maharashtra Regional and Town Planning Act, 1966, so as to put such land to the intended alternative use within the remaining period out of the specified period of ten years from the date of original purchase, he may be permitted by the Collector to do so subject to payment of,—

(i) non-utilization charges specified in second proviso to sub-section (1);

(ii) conversion charges equal to fifty per cent. of the market value of such land as per the current Annual Statement of Rates published under the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995; and

(iii) in case of Occupant-Class II lands, an additional amount equal to forty eight per cent. of the price at which such land was originally purchased, in lieu of the nazrana payable to the Government.

90. to 133.	*	*	*	*
SCHEDULES	*		*	*

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[L.A.BILL No. XXVII OF 2026.]

**[A Bill further to amend the Maharashtra
Tenancy and Agricultural Lands Act, the
Hyderabad Tenancy and Agricultural
Lands Act, 1950 and the Maharashtra
Tenancy and Agricultural Lands
(Vidarbha Region) Act.]**

[SHRI CHANDRASHEKHAR BAWANKULE,
Minister for Revenue.]

JITENDRA BHOLE,
Secretary-1,
Maharashtra Legislative Assembly.