



# महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

वर्ष ३, अंक २२(२)]

बुधवार, मार्च १५, २०१७/फाल्गुन २४, शके १९३८

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असाधारण क्रमांक ४२

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Agricultural Lands (Ceiling on Holdings) (Amendment) Bill, 2017 (L.A. Bill No. VI of 2017), introduced in the Maharashtra Legislative Assembly on the 15th March 2017, is hereby published under the authority of the Governor.

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

PRAKASH H. MALI,  
Principal Secretary to Government  
Law and Judiciary Department.

**L. A. BILL No. VI OF 2017.**

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

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

1. This Act may be called the Maharashtra Agricultural Lands (Ceiling on Holdings) (Amendment) Act, 2017. Short title.

Amendment  
of section 28-  
1AA of Mah.  
XXVII of  
1961.

2. In section 28-1AA of the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961, in sub-section (3A), in the *Explanation*, the following shall be added at the end, namely :—

Mah.  
XXVII of  
1961.

“or for rehabilitation of the project affected persons of a public project notified by the Government for this purpose”.

STATEMENT OF OBJECTS AND REASONS

Sub-section (1) of section 28-1AA of the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961 (Mah. XXVII of 1961), empowers the State Government to grant surplus land which is taken over from the industrial undertakings and which is being cultivated by one or more Corporations (including a company) owned and controlled by the State, to such Corporation or Corporations, subject to such terms and conditions, including in particular the condition of maintaining the integrity of the surplus land, in one or more compact blocks. Accordingly, such surplus lands which were taken over from the various industrial undertakings were granted to the Maharashtra State Farming Corporation Limited, for cultivation and management. Under sub-section (3A) of the said section 28-1AA, the State Government is also empowered to withdraw such lands from the Maharashtra State Farming Corporation and to dispose of such lands for the public purpose, on such terms and conditions as specified by the Government by general or special order issued in that behalf. The *Explanation* to the said sub-section (3A), defines the meaning of the expression "dispose of the lands for the public purpose".

In order to enable the State Government to dispose of such lands of the said Corporation for the rehabilitation of the project affected persons of any public project notified by the Government, which is often found to be administratively expedient where the project affected persons prefer such lands over other lands, it is proposed to suitably amend the *Explanation* to sub-section (3A) of the said section 28-1AA.

2. The Bill seeks to achieve the above objectives.

Mumbai,  
Dated the 8th March 2017.

CHANDRAKANT (DADA) PATIL,  
Minister for Revenue.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

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

*Clause 2.*—Under this clause, which seeks to amend the *Explanation* to sub-section (3A) of section 28-1AA of the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961, power is taken to the State Government to notify the public project, the rehabilitation of the project affected persons of which would be included in the meaning of the expression “dispose of the lands for the public purpose”, empowering the State Government to dispose of the lands which were given to the Maharashtra State Farming Corporation Limited under the said section 28-1AA, for the rehabilitation of the project affected persons of such public project.

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