



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष १०, अंक ३०(२)]

मंगळवार, ऑक्टोबर १५, २०२४/आश्विन २३, शके १९४६

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असाधारण क्रमांक ७४

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्राख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी 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 Prevention of Fragmentation and Consolidation of Holdings (Amendment) Ordinance, 2024 (Mah. Ord. XIV of 2024), is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,
Secretary (Legislation) to Government,
Law and Judiciary Department.

[Translation in English of the Maharashtra Prevention of Fragmentation and Consolidation of Holdings (Amendment) Ordinance, 2024 (Mah. Ord. XIV of 2024), published under the authority of the Governor].

REVENUE AND FORESTS DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 15th October 2024.

MAHARASHTRA ORDINANCE No. XIV OF 2024.

AN ORDINANCE

further to amend the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act.

WHEREAS both Houses of the State Legislature are not in session ;

AND WHEREAS the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act, for the purposes hereinafter appearing;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgate the following Ordinance, namely :—

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| Short title and commencement. | <p>1. (1) This Ordinance may be called the Maharashtra Prevention of Fragmentation and Consolidation of Holdings (Amendment) Ordinance, 2024.</p> <p>(2) It shall come into force at once.</p> | |
| Amendment of section 9 of LXII of 1947. | <p>2. In section 9 of the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act, in sub-section (3), in the first proviso,—</p> <p>(1) for the words, brackets and figures “Maharashtra Prevention of Fragmentation and Consolidation of Holdings (Amendment) Act, 2017” the words, brackets and figures “the Maharashtra Prevention of Fragmentation and Consolidation of Holdings (Amendment) Ordinance, 2024” shall be substituted ;</p> <p>(2) for the words and figures “at such per centum not exceeding 25 per cent. of the market value of such land as per the Annual Statement of Rates, as the Government may notify from time to time, in the <i>Official Gazette</i>” the words “of five per cent. of the market value of such land as per the Annual Statement of Rates” shall be substituted.</p> | <p>LXII of 1947.</p> <p>Mah. LVIII of 2017.</p> <p>Mah. Ord. XIV of 2024.</p> |

STATEMENT

Sub-section (3) of section 9 of the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act (LXII of 1947) is amended by the Maharashtra Prevention of Fragmentation and Consolidation of Holdings (Amendment) Act, 2017 (Mah. LVIII of 2017) to regularise the transfer or partition of a land contrary to the provisions of the said Act, made during the period starting from 15th November 1965 till the date of the commencement of the said Amendment Act, by payment of regularization premium at such per cent. not exceeding 25 per cent. of the market value of such land as per the Annual Statement of Rates, as the Government may notify, from time to time, in the *Official Gazette*. Accordingly, the Government of Maharashtra has notified the regularization premium at 25 per cent. of the market value of land as per the Annual Statement of Rates. The purpose of the said amendment is that, the occupants of such fragments can start their permissible use and number of land parcels which are not in use can be brought back into productive use, thereby contributing to the growth of economy.

It is noticed that, there is less response of people to such regularization. The Government is of the view that, there may be a possibility that the less response to regularise such transfers is due to higher regularization premium.

2. A Committee headed by Shri Umakant Dangat was formed by the Government to study the important laws related to the revenue and to recommend the amendments thereto, if required. The said Committee has recommended to reduce the said regularization premium to ten per cent. of market value of land.

In order to achieve the aboveresferred purposes of the said amendment, it is considered expedient to allow the regularization of such transfers or partition of a land upto the date of commencement of this Ordinance and to reduce the regularization premium and fix it in the Act itself at 5 per cent. of the market value of such land.

3. As both Houses of the State Legislature are not in session and the Governor of Maharashtra is satisfied that circumstances exists which render it necessary for him to take immediate action further to amend the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act, for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,

Dated the 15th October 2024.

C. P. RADHAKRISHNAN,

Governor of Maharashtra.

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

RAJESH KUMAR,

Additional Chief Secretary to Government.