

Maharashtra Act No. XXVIII of 1994.

Act further to amend the Bombay Tenancy and Agricultural Act, 1948, the Hyderabad Tenancy and Agricultural Act, 1950 and the Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act 1958 (207-212 pages)

The following Act of the Maharashtra Legislature, having been assented to by the Governor on 28th April 1994, is hereby published for general information.

PRATIMA UMERJI
Joint Secretary to the Government
of Maharashtra
Law & Judiciary Department

MAHARASHTRA ACT No. XXVIII of 1994

(First published after having received the assent of the Governor in the "Maharashtra Government Gazette" on 28th April, 1994)

An Act further to amend the Bombay Tenancy and Agricultural Lands Act, 1948, the Hyderabad Tenancy and Agricultural Lands Act, 1950 and the Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act, 1958

Bom. LXVII of 1948, WHEREAS both Houses of the State Legislature were not in session;

Hyd. XXI of 1950. Bom. XCIX of 1958. Mah. Ord. III of 1994 AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Bombay Tenancy and Agricultural Lands Act, 1948, the Hyderabad Tenancy and Agricultural Lands Act, 1950 and the Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act, 1958 and, therefore, promulgated the Maharashtra Tenancy and Agricultural Lands Laws (Amendment) Ordinance, 1994 on the 3rd February 1994.

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature, it is hereby enacted in the Forty-Fifth Year of the Republic of India as follows:-

Short title and commencement 1. (1) This Act may be called the Maharashtra Land Revenue Code (Amendment) Act 1994.
(2) It shall be deemed to have come into force on 3rd February 1994

Insertion of section 63-1A in Bom. LXVII of 1948. 2. After section 63-a of the Bombay Tenancy and Agricultural Lands Act, 1948 (hereafter referred to as "the Bombay Tenancy and Agricultural Act"), the following section shall be inserted namely:-

Bom. LXVII of 1948

Transfer of non-agriculturist for bonafide industrial use “63-IA (1) Notwithstanding anytime 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 *bonafide* industrial use, where such land is located within,--

(i) the industrial zone of a draft or final regional plan or draft interim or final development 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 or the agricultural zone of any such plans or schemes and the development control regulations or rules framed under such Act or any of such laws permit industrial use of land; or

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

Provided that, where the total extent of such land proposed to be purchased by a person exceeds the hectares, he shall obtain prior permission of the Development Commissioner (Industries) or any other office authorized by, the State Government in this behalf, who write granting such permission shall consider the justification or reasonableness of the requirement of the land proposed to be purchased with reference to the nature of the proposed *bonafide* industrial use of such land :

Provided further that, such purchase of land shall be subject to the condition that it shall be put to industrial use within the a period of five years from the date of purchase failing which the person from whom the land is purchased shall have right to repurchase the land at the price for which it was originally sold :

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 section 36 and 36A of the Maharashtra Land Revenue Code, 1966 and pf the Maharashtra Restoration of Lands to Scheduled Tribes Act, 1974

(2) If, the land being purchased under sub-section (i) is held by Occupant-ClassII, the purchaser shall pay to the Collector, an amount equal to two percent, of the purchase price of such land. This payment shall be in lieu of any *nazrana* or such other charges which may otherwise be payable by such Occupant-ClassII by or

Mah. XXXVII of 1966

Mah. XLI of 1966 Mah. XIV of 1975

Mah. XLJ of 1966. Mah. XLI of 1966.

under the provisions of 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

(3) The person purchasing the land under sub-section (1) for conversion thereof for *bonafide* industrial use give intimation of the date, to the Collector.

(4) If the person fails to inform the Collector within the period specified in sub-section (3) he may 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 of 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

Explanation:- For the purposes of this section

(a) the expression “*bonafide* industrial use” means the activity of manufacture, preservation of processing of goods, or any handicraft or industrial business or enterprise, carried on by any person, and shall include construction of industrial building used for the manufacturing process or purpose, or power projects and ancillary industrial usages like research & development, godown, canteen office building of the industry concerned, or establishment of an industrial estate including co-operative industrial estate, service industry, cottage industry, gramodyog units or gramodyog vasahats.

(b) “Schedule Tribes” means such tribes or tribal communities or par of, or groups within, such tribes or tribal communities as are deemed t be Schedule Tribes in relation to the State of Maharashtra under article 342 of the Constitution of India and persons, who belongs 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.”

3. In section 82 of the Bombay Tenancy and Agricultural Lands Act, in sub-section (2) after clause (j) the following clause shall be inserted, namely :-

Amendment of Section 82 of Bom. LXVII of 1948

Hyd. XXI of 1950 After section 47 of the Hyderabad Tenancy and Agricultural Lands Act, 1950 the following section shall be inserted namely :-

Insertion of section 47A Hyd. XXI of 1950

“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 *bonafide* industrial use, where such land is located within,--

Transfer to non-agriculturist for *bonafide* industrial use

Mah. XXXVII of 1966 (i) the industrial zone of a draft or final regional plan or draft interim or final development 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 or the agricultural zone of any such plans or schemes and the development control regulations or rules framed under such Act or any of such laws permit industrial use of land; or
(ii) the area where no such plan or scheme as aforesaid exists :

Provided that, where the total extent of such land proposed to be purchased by a person exceeds the hectares, he shall obtain prior permission of the Development Commissioner (Industries) or any other office authorized by, the State Government in this behalf, who write granting such permission shall consider the justification or reasonableness of the requirement of the land proposed to be purchased with reference to the nature of the proposed *bonafide* industrial use of such land :

Provided further that, such purchase of land shall be subject to the condition that it shall be put to industrial use within the a period of five years from the date of purchase failing which the person from whom the land is purchased shall have right to repurchase the land at the price for which it was originally sold :

Mah. XLI of 1966 Provided also that, where the land being sold is owned by a person belonging to the Scheduled Tribe, such sale
Mah. XIV of 1975 of land shall be subject to the provisions of section 36 and 36A of the Maharashtra Land Revenue Code, 1966

and of the Maharashtra Restoration of Lands to Scheduled Tribes Act, 1974

Mah. XLJ of 1966. (2) If, the land being purchased under sub-section (i) is held by Occupant-Class II, the purchaser shall pay to the

Mah. XLI of 1966. Collector, an amount equal to two percent, of the purchase price 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 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

(3) The person purchasing the land under sub-section (1) for conversion thereof for *bonafide* industrial use give intimation of the date, to the Collector.

(4) If the person fails to inform the Collector within the period specified in sub-section (3) he may 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 of 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

Mah. XLI of 1966.

Explanation:- For the purposes of this section

(a) the expression “*bonafide* 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, and shall include construction of industrial building used for the manufacturing process or purpose, or power projects and ancillary industrial usages like research & development, godown, canteen office building of the industry concerned, or establishment of an industrial estate including co-operative industrial estate, service industry, cottage industry, gramodyog units or gramodyog vasahats.

(b) “Schedule Tribes” means such tribes or tribal communities or part of, or groups within, such tribes or tribal communities as are deemed to be Schedule Tribes in relation to the State of Maharashtra under article 342 of the Constitution of India and persons, who belongs 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.”

**Insertion
section 89A
in Bom.
XCIX of
1958**

5. After section 89, of the Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act 1958 [hereafter referred to as “the Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act.”], the following section will be inserted, namely :-

**Bom XCIX of
1958**

89 A (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 *bonafide* industrial use, where such land is located within,--

**Transfer to
non-
agriculturist for
bonafide
industrial estate**

**Mah.
XXXVII of
1966**

(i) the industrial zone of a draft or final regional plan or draft interim or final development 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 or the agricultural zone of any such plans or schemes and the development control regulations or rules framed under such Act or any of such laws permit industrial use of land; or

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

Provided that, where the total extent of such land proposed to be purchased by a person exceeds the hectares, he shall obtain prior permission of the Development Commissioner (Industries) or any other office authorized by, the State Government in this behalf, who write granting such permission shall consider the justification or reasonableness of the requirement of the land proposed to be purchased with reference to the nature of the proposed *bonafide* industrial use of such land :

Provided further that, such purchase of land shall be subject to the condition that it shall be put to industrial use within the a period of five years from the date of purchase failing which the person from whom the land is purchased shall have right to repurchase the land at the price for which it was originally sold :

- Mah. XLI of 1966** 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 section 36 and 36A of the Maharashtra Land Revenue Code, 1966 and of the Maharashtra Restoration of Lands to Scheduled Tribes Act, 1974
- Mah. XIV of 1975**
- Mah. XLJ of 1966.** (2) If, the land being purchased under sub-section (i) is held by Occupant-Class II, the purchaser shall pay to the Collector, an amount equal to two percent, of the purchase price 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 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
- Mah. XLI of 1966.** (3) The person purchasing the land under sub-section (1) for conversion thereof for *bonafide* industrial use give intimation of the date, to the Collector.
- Mah. XLI of 1966.** (4) If the person fails to inform the Collector within the period specified in sub-section (3) he may 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 of 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
- Explanation:-* For the purposes of this section
- (a) the expression “*bonafide* 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, and shall include construction of industrial building used for the manufacturing process or purpose, or power projects and ancillary industrial usages like research & development, godown, canteen office building of the industry concerned, or establishment of an industrial estate including co-operative industrial estate, service industry, cottage industry, gramodyog units or gramodyog vasahats.
- (b) “Schedule Tribes” means such tribes or tribal communities or part of, or groups within, such tribes or tribal communities as are deemed to be Schedule Tribes

in relation to the State of Maharashtra under article 342 of the Constitution of India and persons, who belongs 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.”

Amendment of section 118 of Bom. XCIX of 1958 In section 118 of the Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act, in sub-section (2), after clause (xix), the following clause shall be inserted namely:-

“(xix-A) the ruler subject to which Collector may impose penalty under sub-section (4) of section 89A

Repeal of Mah. Ord. III of 1994 and saying 7. (1) The Maharashtra Tenancy and Agricultural Lands Laws (Amendment) Ordinance, 1994 is hereby repealed

Mah. Ord. III of 1994

(2) Notwithstanding such repeal, anything done, any action taken, or any land transferred under the provisions of Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act as amended by the said Ordinance shall be deemed to have done, taken or transferred, as the case may be under the respective Acts, as amended by this Act

Hyd. XXI of 1950

Maharashtra Act No. XXV of 2005.

Act further to amend the Bombay Tenancy and Agricultural Act, 1948, the Hyderabad Tenancy and Agricultural Act, 1950 and the Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act 1958 (207-212 pages)

In pursuance of clause (3) of article 348 of the Constitution of India the following transmission in English of the Maharashtra Tenancy and Agricultural Lands Laws (Amendment) Act, 2005 (Mah. Act. No. XXV of 2005). is hereby published under the authority of the Governor.

PRATIMA UMERJI
Joint Secretary to the Government
of Maharashtra
Law & Judiciary Department

MAHARASHTRA ACT No. XXV of 2005

(First published after having received the assent of the Governor in the "Maharashtra Government Gazette" on 19th May, 2005)

An Act further to amend the Bombay Tenancy and Agricultural Lands Act, 1948, the Hyderabad Tenancy and Agricultural Lands Act, 1950 and the Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act, 1958

Mah Ord. WHEREAS the Governor of Maharashtra had
XI of 2004 promulgated the Maharashtra Tenancy and Agricultural Land Laws (Amendment) Ordinance 2004 on 17th May 2004;

AND WHEREAS upon the re-assembly of the State Legislature on the 24th May 2004, the said Ordinance was laid before both Houses of the State Legislature and Bill for converting the said Ordinance into an Act of the State Legislature was also introduced in the Maharashtra Legislative Assembly as L.A. Bill No. VIII of 2004 on the 28th May 2004. The said Bill however, could not be passed as the said session of the State Legislature was prorogued on the 11th June 2004 .:

AND WHEREAS as provided by article 213(2) (a) of the Constitution of India, the said Ordinance would have ceased to operate on the expiration of six weeks from the date of re-assembly of the State Legislature, that is, on the 4th July 2004.

AND WHEREAS it was considered expedient to continue the operation of the provisions of the said Ordinance.

AND WHEREAS Both Houses of the State Legislative were not in session and the Governor of

Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action to continue the operation of the provisions of the said Ordinance, for the purposes hereafter appearing and therefore, promulgated the Maharashtra Tenancy and Agricultural Lands Laws (Amendment and Continuance) Ordinance, 2004 on the 3rd July, 2004;

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature, it is hereby enacted in the Fifty-Fifth Year of the Republic of India as follows:-

**Mah. Ord. XVI
of 2004**

**Short title
and
commence
ment**

2. (1) This Act may be called the Maharashtra Tenancy and Agricultural Land Laws (Amendment) Act 2004.

(2) Save as otherwise provided in the act, it shall be deemed to have come into force on the 17th May 2004

**Amendment
of 63-IA of
Bom. LXVII
of 1948**

2. In section 63-IA of Bombay Tenancy and Agricultural Lands Act 1948 (hereafter refer as “the Bombay Tenancy Act”),-

**Bom. LXVII of
1948**

(a) in sub-section (1),--

(i) in the principal clause after the words “*bonafide* industrial use” the words or special township project, as the case may be “shall be inserted;

(ii) in clause (ii), the word “or” shall be added at the end;

(iii) after clause (iii), the following clause shall be inserted, namely;

“(iii) the area taken over by a private developer for development of special township project.”;

(iv) for the second provision, the following provisions shall be submitted namely:-

“Provided further that, such purchase of land shall be subject to the condition that it shall be put to industrial use within the specified total period of fifteen years from the date of purchase, failing which the person from whom the land was purchased shall have the right to repurchase such land at the price for which it was originally sold by him;

Provided also that, the purchaser who fails to put up 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*

**Mah. XXV of
2005**

industrial use with the remaining period from the total period of fifteen years, subject to condition that,--

Mah. XLI of 1966 (a) In the land purchased und sub-section (1) was held by seller as the Occupant Class-II,-such purchaser land holder shall pay an additional amount equal to 49 percent of the price of 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

Mah. XLI of 1966 (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 Government of India :” :

(b) in sub-section (2) for the words “two percent of the purchase price” the words “two percent of the purchase price, in case the purchase of land is for *bona-fide* industrial use and fifty percent of purchase price. If the purchase of land is for special township project” shall be substituted :

(c) In sub-section (3) after the words “*bona-fide* industrial use” the words “or for special township project, as the case may be,” shall be inserted :

(d) in the Explanation,--

(I) in clause (a), after the words “carried on by any person” the words “or the activity of tourism within the areas notified by the State Government as the tourist place or hill station” shall be inserted and shall be deemed to have been inserted and shall be deemed to have been inserted with effect from 1st July 2000 :

(II) after clause (a), the following clause shall be inserted, namely :--

Mah. XXXVI of 1966 “(aa) “special township project” means the special township project or projects under the Regulations framed for Development of Special Township by Government under the provisions of the Maharashtra Regional and Town Planning Act, 1966.”

Hyd. XXI of 1950 3. in section 47A of the Hyderabad Tenancy and Agricultural Lands Act 1950 (hereafter referred to as “the Hyderabad Tenancy Act”)

Amendment of Section 47A fo Hyd. XXI of 1950

(a) in sub-section (1),--

(i) in the principal clause after the words “*bonafide* industrial use” the words or special township project, as the case may be “shall be inserted;

(ii) in clause (ii), the word “or” shall be added at the end;

(iii) after clause (iii), the following clause shall be inserted, namely;

“(iii) the area taken over by a private developer for development of special township project.”;

(iv) for the second provision, the following provisions shall be submitted namely:-

“Provided further that, such purchase of land shall be subject to the condition that it shall be put to industrial use within the specified total period of fifteen years from the date of purchase, failing which the person from whom the land was purchased shall have the right to repurchase such land at the price for which it was originally sold by him;

Provided also that, the purchaser who fails to put up 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 with the remaining period from the total period of fifteen years, subject to condition that,--

Mah. XXV of 2005

(a) In the land purchased und sub-section (1) was held by seller as the Occupant Class-II,-such purchaser land holder shall pay an additional amount equal to 49 percent of the price of 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

Mah. XLI of 1966

(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 :

Mah. XLI of 1966

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

(b) in sub-section (2) for the words “two percent of the purchase price” the words “two percent of the purchase price, in case the purchase of land is for *bona-fide*

industrial use and fifty percent of purchase price. If the purchase of land is for special township project” shall be substituted :

(c) In sub-section (3) after the words “*bona-fide* industrial use” the words “or for special township project, as the case may be,” shall be inserted :

(d) in the Explanation,--

(I) in clause (a), after the words “carried on by any person” the words “or the activity of tourism within the areas notified by the State Government as the tourist place or hill station” shall be inserted and shall be deemed to have been inserted and shall be deemed to have been inserted with effect from 1st July 2000 :

(II) after clause (a), the following clause shall be inserted, namely :--

“(aa) “special township project” means the special township project or projects under the Regulations framed for Development of Special Township by Government under the provisions of the Maharashtra Regional and Town Planning Act, 1966.”

Mah. XXXVII of 1966.

Bom. XCIX of 1958

4. In section 89A of the Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act, 1958 (hereafter referred as “the Vidarbha Tenancy Act”)---

Amendment of 89A of Bom. XCIX of 1958

(a) in sub-section (1),--

(i) in the principal clause after the words “*bonafide* industrial use” the words or special township project, as the case may be “shall be inserted;

(ii) in clause (ii), the word “or” shall be added at the end;

(iii) after clause (iii), the following clause shall be inserted, namely;

“(iii) the area taken over by a private developer for development of special township project:”;

(iv) for the second provision, the following provisions shall be submitted namely:-

“Provided further that, such purchase of land shall be subject to the condition that it shall be put to industrial use within the specified total period of fifteen years from the date of purchase, failing which the person from whom the land was purchased shall have the right to repurchase such land at the price for which it was originally sold by him;

Mah. XXV of 2005

Provided also that, the purchaser who fails to put up the land to bona-fide industrial use within five years form 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 with the remaining period from the total period of fifteen years, subject to condition that,--

**Mah. XLI of
1966**

(a) In the land purchased und sub-section (1) was held by seller as the Occupant Class-II,-such purchaser land holder shall pay an additional amount equal to 49 percent of the price of 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, 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 Government of India :” :

(b) in sub-section (2) for the words “two percent of the purchase price” the words “two percent of the purchase price, in case the purchase of land is for *bona-fide* industrial use and fifty percent of purchase price. If the purchase of land is for special township project” shall be substituted :

(c) In sub-section (3) after the words “*bona-fide* industrial use” the words “or for special township project, as the case may be,” shall be inserted :

(d) in the Explanation,--

(I) in clause (a), after the words “carried on by any person” the words “or the activity of tourism within the areas notified by the State Government as the tourist place or hill station” shall be inserted and shall be deemed to have been inserted and shall be deemed to have been inserted with effect from 1st July 2000 :

(II) after clause (a), the following clause shall be inserted, namely :--

“(aa) “special township project” means the special township project or projects under the Regulations framed for Development of Special Township by Government under the provisions of the Maharashtra Regional and Town Planning Act, 1966.”

**Mah. XLI of
1966**

**Mah. XXXVI of
1966**

**Repeal of
Mah. Ord
XVI of 2004
and saying**

5. (1) The Maharashtra Tenancy and Agricultural Lands Laws (Amendment and Continuance) Ordinance, 2004 is hereby repealed.

(2) Notwithstanding such repeal, any thing done on any action taken (including any notification issued), under the Bombay Tenancy Act, the Hyderabad Tenancy Act or the Vidarbha Tenancy Act, as amended by the said Ordinance, shall be deemed to have done, taken or issued, as the case may be, under the relevant Acts, as amended by this Act.

Mah. Ord. XVI
of 2004

Forms and Applications