



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ३, अंक ३६(७)]

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असाधारण क्रमांक ७५

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 Regional and Town Planning (Amendment) Act, 2017 (Mah. Act No. XXXII of 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.

MAHARASHTRA ACT No. XXXII OF 2017.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 15th April 2017).

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

Mah.
XXXVII
of 1966.

WHEREAS it is expedient further to amend the Maharashtra Regional and Town Planning Act, 1966, 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 Regional and Town Planning (Amendment) Act, 2017. Short title.

Amendment
of section 2 of
Mah. XXXVII
of 1966.

2. In section 2 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the principal Act"), for clause (5A), the following clause shall be substituted, namely :—

“(5A) “compounded structure” means any development of land in respect of which the compounding charges, infrastructure charges and premium as levied by the Collector under the provisions of sub-section (2B) of section 18 or by the Planning Authority under section 52A, are paid by the owner or occupier of such structure and which upon such payment has been declared as compounded structure by the Collector or Planning Authority, as the case may be;”.

Amendment of
section 18 of
Mah. XXXVII
of 1966.

3. In section 18 of principal Act, in sub-section (2B), after the words “compounding charges” the words “, infrastructure charges and premium” shall be inserted.

Insertion of
section 52A in
Mah. XXXVII
of 1966.

4. After section 52 of the principal Act, the following section shall be inserted, namely :—

Provisions
relating to
certain
developments
as
compounded
structure.

“52A. (1) Notwithstanding anything contained in this Act or any other law, for the time being in force, or in any judgment, order or direction of any Court where unauthorised development has been carried out on or before the 31st December 2015, in the area of Development Plan, the State Government may, upon the request of the Planning Authority, specify the terms and conditions, not inconsistent with the rules made in this behalf, on compliance of which and the compounding charges, infrastructure charges and premium on payment of which, the Planning Authority may declare such development as compounded structure.

(2) On declaration of such development as compounded structure under sub-section (1), no further proceedings under any law for the time being in force against the owner or occupier of such structure shall be taken or continued :

Provided that, no further development shall be permissible in any compounded structure, other than repairs and maintenance, and any development or reconstruction of such structure shall be only as per the provisions of the prevailing Development Control Regulations.”.

Amendment of
section 53 of
Mah. XXXVII
of 1966.

5. In section 53 of the principal Act, for sub-section (1), the following sub-sections shall be substituted, namely :—

“(1) (a) Where any development of land has been carried out as indicated in clause (a) or (c) of sub-section (1) of section 52, the Planning Authority may, subject to the provisions of this section, serve on the owner, developer or occupier a prior notice of 24 hours requiring him to restore the land to conditions existing before the said development took place ;

(b) if the owner, developer or occupier fails to restore the land accordingly, the Planning Authority shall immediately take steps to demolish such development and seal the machinery and materials used or being used therefor.

(1A) Where any development of land has been carried out as indicated in clause (b) or (d) of sub-section (1) of section 52, the Planning Authority may, subject to the provisions of this section, serve one months’ notice on the

owner, developer or occupier requiring him to take necessary steps as specified in the notice.”.

6. In section 142 of the principal Act, the following proviso shall be added, namely :—

“Provided that, no sanction shall be necessary where unauthorised development has been carried out on the plot having area more than 1000 square meters.”.

Amendment of section 142 of Mah. XXXVII of 1966.