

# **The land Acquisition (Maharashtra) (Temporary Amendment) Act, 1972**

MAHARASHTRA

India

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### **Act 7 of 1973**

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The land Acquisition (Maharashtra) (Temporary Amendment) Act, 1972 Maharashtra Act No. 7 of 1973 [Dated 13th February, 1973] For Statement of Objects and Reasons, see Maharashtra Government Gazette, 1972, Part V, p. 603. An Act further to amend the Land Acquisition Act, 1894, in its application to the State of Maharashtra, for the purpose of meeting the emergent conditions in the State consequent on the failure of successive monsoons. Whereas, during the last three consecutive years there has been a failure of the monsoon throughout the State of Maharashtra; and as a consequence thereof there is at present acute scarcity of water for drinking and agriculture in most areas of the State; and irrigation projects and rivers and (as the water level has gone down) wells also, are running dry; And Whereas, as a consequence of the failure of the monsoons during the prolonged periods aforesaid, crops have withered; and there is considerable and growing unemployment in rural areas leading to general unrest amongst the population, and the likelihood of law and order being affected; and reports are also coming in of the distress sales and loss of cattle, and there is apprehension of large-scale migrations of the rural population in search of work to urban areas; And Whereas, in order immediately to alleviate shortages of water and gain, and in some measure to provide for water both for drinking and other purposes, by means of irrigation projects, digging of wells, tanks, etc.; and to provide for temporary employment of persons affected by the scarcity mentioned aforesaid in relief works such as building of roads, bridges, tanks and the like, and prevent large-scale migrations and the problems attendant thereto, it is expedient to amend the Land Acquisition Act, 1894, for a certain time, so that land can be acquired for the emergent purposes aforesaid, without the normal delays in taking possession of such land; It is hereby enacted in the Twenty-third Year of the Republic of India as follows :-

## **1. Short title, commencement and duration.**

(1) This Act may be called the Land Acquisition (Maharashtra) (Temporary Amendment) Act, 1972. (2) It shall come into force on such [date] [26th day of February, 1973 (vide G. N., R. & F. D., No. LQN. 1672/27621-H-1, dated the 21st February, 1973).] as the State Government may, by notification in the Official Gazette, appoint; and shall remain in force for a period of one year and shall then expire and section 7 of the Bombay General Clauses Act, 1904, shall apply on the expiry of this Act as if it had then been repealed by a Maharashtra Act.

## **2. Application of section 17 of Act I of 1894 with modifications, during continuance of Maharashtra VII of 1973.**

- During the continuance of the Land Acquisition (Maharashtra) (Temporary Amendment) Act, 1972, the provisions of section 17 of the Land Acquisition Act, 1894, shall apply in the State of Maharashtra subject to the following modifications that is to say, - In section 17, in sub-section (2), after the words "as the case may be", where they occur for the first time, the words "or whenever due to failure of the monsoons or otherwise there is acute scarcity of water for drinking or agriculture and failure of crops in the State, it becomes necessary for the State Government or the Commissioner to acquire the immediate possession of any land, for the purpose of providing water for drinking or agriculture and by setting up or continuing relief works for providing employment to persons affected by the conditions referred to above" shall be inserted.