

Of Use of Land.

Uses to which holder of land for purposes of agriculture may put his land.

41. ¹[(1)] ²[Subject to the provisions of this section, holder of any land] assessed or held for the purpose of agriculture is entitled by himself, his servants, tenants, agents or other legal representatives to erect farm ³[building], construct wells or tanks or make any other improvements thereon for the better cultivation of the land, or its more convenient use for the purpose aforesaid.

⁴[(2) From the date of commencement of the Maharashtra Land Revenue Code (Amendment) Act, 1986 (hereinafter in this section referred to as "such commencement date") before erection any farm building or carrying out any work or renewal of, re-construction of, alterations in, or additions to, any such farm building, or any farm building erected before such commencement date, on any land which is situated,—

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(a) within the limits of—

- (i) the Municipal Corporation of Greater Bombay,
- (ii) the Corporation of the City of Pune,
- (iii) the Corporation of the City of Nagpur,

and the area within eight kilometres from the periphery of the limits of each of these corporations ;

(b) within the limits of any other Municipal Corporation constituted under any law for the time being in force and the area within five kilometres from the periphery of the limits of each such Municipal Corporation ;

(c) within the limits of the 'A' Class Municipal Councils and the area within three kilometres from the periphery of the limits of each such Municipal Council ;

(d) within the limits of the 'B' and 'C' Class Municipal Councils ; or

(e) within the area covered by the Regional Plan, Town Planning Scheme, or proposals for the development of land (within the notified area) or (an area designated as) the site of the new town, whether each of these being in draft or final, prepared, sanctioned or approved under the Maharashtra Regional and Town Planning Act, 1966 ;

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the holder or any other person referred to in sub-section (1), as the case may be, shall, notwithstanding anything contained in sub-clause (d) and (e) of clause (14) of section 2, make an application, in the prescribed form, to the Collector for permission to erect such farm building or to carry out any such work of renewal, re-construction, alteration or additions as aforesaid.

(3) The Collector may, subject to the provisions of sub-section (4) and such terms and conditions as may be prescribed, grant such permission for erection of one or more farm buildings having a plinth area not exceeding the limits specified below :—

¹ Section 41 was renumbered as sub-section (1) of that section, by Mah. 32 of 1986, s. 2.

² These words, were substituted for the words "A holder of any land", *ibid*, s. 2 (a) (i).

³ This word substituted for the word "buildings", *ibid*, s. 2 (a) (ii).

⁴ Sub-sections (2) to (6) were added by Mah. 32 of 1986, s. 2 (b).