



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ६, अंक १४(३)]

गुरूवार, मार्च १२, २०२०/फाल्गुन २२, शके १९४१

[पृष्ठे २, किंमत : रुपये २७.००

असाधारण क्रमांक २८

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 Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2020 (Maharashtra Act No. VII of 2020), is hereby published under the authority of the Governor.

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

RAJENDRA G. BHAGWAT,
Secretary (Legislation) to Government,
Law and Judiciary Department.

MAHARASHTRA ACT NO. VII OF 2020.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 12th March 2020.)

An Act further to amend the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965.

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

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 Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, for the purposes hereinafter appearing ; and, therefore, promulgated the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2020, on the 27th January 2020;

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature; it is hereby enacted in the Seventy-first Year of the Republic of India as follows :—

Short title and commencement.	1. (1) This Act may be called the Maharashtra Municipal Councils, <i>Nagar Panchayats</i> and Industrial Townships (Amendment) Act, 2020.	
	(2) It shall be deemed to have come into force on the 27th January 2020.	
Amendment of section 10 of Mah. XL of 1965.	2. In section 10 of the Maharashtra Municipal Councils, <i>Nagar Panchayats</i> and Industrial Townships Act, 1965 (hereinafter referred to as “ the principal Act ”), in sub-section (2), in the proviso, after the words, brackets and figures “ the Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, <i>Nagar Panchayats</i> and Industrial Townships (Amendment) Act, 2016 ” the words, brackets and figures, “ but till the day immediately preceding the date of the publication of the Maharashtra Municipal Councils, <i>Nagar Panchayats</i> and Industrial Townships (Amendment) Act, 2020, ” shall be inserted.	Mah.XL of 1965. Mah. IX of 2017. Mah. VII of 2020.
Removal of doubts.	3. For the removal of doubts, it is hereby declared that nothing in the principal Act, as amended by the Maharashtra Municipal Councils, <i>Nagar Panchayats</i> and Industrial Townships (Amendment) Act, 2020, shall be construed as reducing the number of seats to be reserved for the Scheduled Castes, Scheduled Tribes, Backward Class of Citizens and Women in accordance with the provisions made by or under the principal Act.	Mah. VII of 2020.
Repeal of Mah. Ord. I of 2020 and saving.	4. (1) The Maharashtra Municipal Councils, <i>Nagar Panchayats</i> and Industrial Townships (Amendment) Ordinance, 2020, is hereby repealed. (2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the principal Act, as amended by the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of the principal Act, as amended by this Act.	Mah. Ord.I of 2020.



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शनिवार, मार्च १४, २०२०/फाल्गुन २४, शके १९४१

[पृष्ठे ४, किंमत : रुपये २७.००

असाधारण क्रमांक ३५

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 Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2020 (Mah. Act No. XII of 2020), is hereby published under the authority of the Governor.

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

RAJENDRA G. BHAGWAT,
Secretary (Legislation) to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XII OF 2020.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 14th March 2020).

An Act further to amend the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965.

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

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 Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, for the purposes hereinafter appearing ; and, therefore, promulgated the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Ord. IV Ordinance, 2020, on the 4th February 2020 ;

AND WHEREAS, it is expedient to replace the said Ordinance with minor modifications by an Act of the State Legislature; it is hereby enacted in the Seventy-first Year of the Republic of India as follows :—

1. (1) This Act may be called the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2020.

Short title
and
commencement.

(2) It shall be deemed to have come into force on the 4th February 2020.

- Amendment of section 2 of Mah. XL of 1965. 2. In section 2 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (hereinafter referred to as “the principal Act”), in clause (7), in sub-clause (ii), after the words “to get elected as” the words, figures and letters “a President of the Council in accordance with section 51A-1B under section 51 or” shall be inserted. Mah. XL of 1965.
- Insertion of section 51A-1B in Mah. XL of 1965. 3. After section 51A-1A of the principal Act, the following section shall be inserted, namely :—
- Non-application of section 51A-1A for election of President of Council. “51A-1B. After the date of commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2020, in respect of general elections and by-elections to the Council, the provisions of section 51A-1A shall cease to apply and every Council shall have a President who shall be elected under section 51 and the provisions of the said section 51 shall apply therefor.” Mah. XII of 2020.
- Amendment of section 51A of Mah. XL of 1965. 4. In section 51A of the principal Act, after sub-section (6A), the following sub-section shall be inserted, namely :—
- “(6B) After the date of commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2020, in respect of the general elections and by-elections to the Councils, the provisions of sub-section (6A) shall cease to apply and every Council shall have a Vice-President who shall be elected under section 51A and the provisions of the said section 51A shall apply therefor.” Mah. XII of 2020.
- Amendment of section 52 of Mah. XL of 1965. 5. In section 52 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely :—
- “(4) After the date of commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2020, the term of office of the President elected in accordance with section 51A-1B under section 51 shall be such as provided in sub-section (1) of this section.” Mah. XII of 2020.
- Substitution of section 55 of Mah. XL of 1965. 6. For section 55 of the principal Act, the following section shall be substituted, namely :—
- “55. (1) The requisition for removal of the President elected under section 51 shall be signed by not less than one-half of the total number of Councillors and shall contain the charges of misconduct against such President and shall be sent to the Collector:
- Provided that, no such requisition shall be sent within a period of one year from the date of election of such President.
- (2) Upon receipt of the requisition under sub-section (1), the Collector shall conduct the enquiry of such charges and complete such enquiry within a period of one month from the date of receipt of the requisition:
- Provided that, in no case such period of enquiry shall be extended beyond three months and for such extended period, prior assent of the State Government shall be obtained by the Collector, if the enquiry proceeding is delayed due to unavoidable reasons.
- Removal of President by Councillors.

(3) The Collector shall submit the findings of such enquiry to the Government for taking appropriate action under section 55A.”.

7. In section 58 of the principal Act, in sub-section (1A), for the words, figures and letters “the President directly elected under section 51A-1A shall have power to give the financial sanction to such proposal of development works as may be prescribed by the State Government, from time to time” the words, figures and letters “ the President elected in accordance with section 51 or, as the case may be, the President directly elected under section 51 A-1 A, shall have power to give the financial sanction to such proposal of development works as may be specified by the State Government, by order, from time to time,” shall be substituted.

Amendment of section 58 of Mah. XL of 1965.

8. In section 93 of the principal Act, in sub-section (2), in clause (c), for the proviso, the following proviso shall be substituted, namely :—

Amendment of section 93 of Mah. XL of 1965.

“ Provided that, for such a contract as the State Government may, by order, specify, from time to time, a committee of the President (elected in accordance with section 51, or as the case may be, directly elected under section 51A-1A) and the Chief Officer shall approve such contract, within a period of fifteen days from its receipt.”.

9. After section 341B-1A of the principal Act, the following section shall be inserted, namely :—

Insertion of section 341B-1B of Mah. XL of 1965.

Mah. XII of 2020.

“ **341B-1B.** After the date of commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2020, in respect of the general elections and by-elections to the *Nagar Panchayats*, the provisions of section 341B-1A shall cease to apply and every *Nagar Panchayat* shall have a President who shall be elected under section 341B-1 and the provisions of the said section 341B-1 shall apply therefor.”.

Non-application of section 341B-1A for election of President of *Nagar Panchayats*.

10. In section 341B-2 of the principal Act, after sub-section (6A), the following sub-sections shall be inserted, namely:-

Amendment of section 341B-2 of Mah. XL of 1965.

Mah. XII of 2020.

“(6B) After the date of commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2020, in respect of the general elections and by-elections to the *Nagar Panchayats*, the provisions of sub-section (6A) shall cease to apply and every *Nagar Panchayat* shall have a Vice-President who shall be elected under section 341B-2 and the provisions of the said section 341B-2 shall apply therefor.

Mah. XII of 2020.

(6C) After the date of commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2020, the term of office of Vice-President elected in accordance with sub-section (6B) of section 341B-2 shall be such as provided in sub-section (6) of section 341B-2.”.

Amendment
of section
341B-4 of
Mah. XL of
1965.

11. In section 341B-4 of the principal Act, after sub-section (3), the following sub-section shall be added, namely :—

“(4) After the date of commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2020, the term of office of the President elected in accordance with section 341B-1B under section 341B-1 shall be such as provided in sub-section (1) of this section.”

Mah. XII
of 2020.

Substitution
of section
341B-5 of
Mah. XL of
1965.

12. For section 341B-5 of the principal Act, the following section shall be substituted, namely :—

Removal of
President of
*Nagar
Panchayats* by
Councillors.

“**341B-5.** (1) The requisition for removal of the President elected under section 341B-1 shall be signed by not less than one-half of the total number of Councillors and shall contain the charges of misconduct against such President and shall be sent to the Collector :

Provided that, no such requisition shall be sent within a period of one year from the date of election of such President.

(2) Upon receipt of the requisition under sub-section (1), the Collector shall conduct the enquiry of such charges and complete such enquiry within a period of one month from the date of receipt of the requisition:

Provided that, in no case such period of enquiry shall be extended beyond three months and for such extended period, prior assent of the State Government shall be obtained by the Collector, if the enquiry proceeding is delayed due to unavoidable reasons.

(3) The Collector shall submit the findings of the enquiry to the Government for taking appropriate action under section 55A as applicable therefor.”

Power to
remove
difficulty.

13. (1) If any difficulty arises in giving effect to the provisions of the principal Act, as amended by this Act, the State Government may, as the occasion arises, by order published in the *Official Gazette*, do anything not inconsistent with the objects and purposes of the principal Act, which appears to it to be necessary or expedient for the purposes of removing the difficulty :

Provided that, no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before each House of State Legislature.

Repeal of
Mah. Ord. IV
of 2020 and
saving.

14. (1) The Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Ordinance, 2020, is hereby repealed.

Mah.
Ord. IV
of 2020.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the principal Act, as amended by the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of the principal Act, as amended by this Act.



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ६, अंक ४८(४)]

सोमवार, डिसेंबर २८, २०२०/पौष ७, शके १९४२

[पृष्ठे ५, किंमत : रुपये २७.००

असाधारण क्रमांक १०२

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 Mumbai Municipal Corporation, the Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2020 (Mah. Act No. XXXIII of 2020), is hereby published under the authority of the Governor.

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

BHUPENDRA M. GURAO,
I/c. Secretary (Legislation) to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XXXIII OF 2020.

(First published, after having received the assent of the Governor in the “*Maharashtra Government Gazette*”, on the 28th December 2020).

An Act further to amend the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965.

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

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 Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, for the purposes hereinafter appearing and, therefore, promulgated the Mumbai Municipal Corporation, the Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2020 on the 27th October 2020 ;

महाराष्ट्र शासन राजपत्र असाधारण भाग आठ, डिसेंबर २८, २०२०/पौष ७, शके १९४२

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature; it is hereby enacted in the Seventy-first Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY.

Short title and commencement.

1. (1) This Act may be called the Mumbai Municipal Corporation, the Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2020.

(2) It shall be deemed to have come into force on the 27th October 2020.

CHAPTER II

AMENDMENT TO THE MUMBAI MUNICIPAL CORPORATION ACT.

Amendment of section 144F of III of 1888.

2. In section 144F of the Mumbai Municipal Corporation Act, in sub-section (1), the following proviso shall be inserted and shall be deemed to have been inserted with effect from the 1st April 2020, namely :—

III of 1888.

“Provided that, the stamp duty leviable under the Maharashtra Stamp Act, on instrument of sale, gift and usufructuary mortgage, respectively, of immovable property shall, in the case of any such instrument relating to immovable property situated in the City,—

LX of 1958.

(a) for the period commencing from the 1st April 2020 and ending on the 31st March 2022, not be increased by any surcharge, under this sub-section ;

(b) with effect from the 1st April 2022, in case the State Government reduces or remits the stamp duty under the Maharashtra Stamp Act, be reduced or remitted by a surcharge at such rate as the State Government may, by an order in the *Official Gazette*, specify, under this sub-section.”

LX of 1958.

CHAPTER III

AMENDMENTS TO THE MAHARASHTRA MUNICIPAL CORPORATIONS ACT.

Amendment of section 149A of LIX of 1949.

3. In section 149A of the Maharashtra Municipal Corporations Act (hereinafter referred to as “the Municipal Corporations Act”), in sub-section (1), the following proviso shall be inserted and shall be deemed to have been inserted with effect from the 1st September 2020, namely :—

LIX of 1949.

“Provided that, the stamp duty leviable under the Maharashtra Stamp Act, on instrument of sale, gift and usufructuary mortgage, respectively, of immovable property shall , in the case of any such instrument relating to immovable property situated in the City,—

LX of 1958.

(a) for the period commencing from the 1st September 2020 and ending on the 31st December 2020, not be increased by any surcharge, under this sub-section ;

(b) for the period commencing from the 1st January 2021 and ending on the 31st March 2021, be reduced by a surcharge at the rate of half per cent., under this sub-section ;

(c) with effect from the 1st April 2021, in case the State Government reduces or remits the stamp duty under the Maharashtra Stamp Act, be reduced or remitted by a surcharge at such rate as the State Government may, by an order in the *Official Gazette*, specify, under this sub-section.”

LX of 1958.

4. In section 149B of the Municipal Corporations Act, in sub-section (1), the following proviso shall be inserted and shall be deemed to have been inserted with effect from the 1st April 2020, namely :—

Amendment of section 149B of LIX of 1949.

LX of 1958.

“Provided that, the stamp duty leviable under the Maharashtra Stamp Act, on instrument of sale, gift and usufructuary mortgage, respectively, of immovable property shall, in the case of any such instrument relating to immovable property situated in the City,—

(a) for the period commencing from the 1st April 2020 and ending on the 31st March 2022, not be increased by any surcharge, under this sub-section ;

LX of 1958.

(b) with effect from the 1st April 2022, in case the State Government reduces or remits the stamp duty under the Maharashtra Stamp Act, be reduced or remitted by a surcharge at such rate as the State Government may, by an order in the *Official Gazette*, specify, under this sub-section.”.

CHAPTER III

AMENDMENT TO THE MAHARASHTRA MUNICIPAL COUNCILS, *NAGAR PANCHAYATS* AND INDUSTRIAL TOWNSHIPS ACT.

Mah. XL of 1965.

5. In section 147A of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, in sub-section (1), the following proviso shall be inserted and shall be deemed to have been inserted with effect from the 1st September 2020, namely :—

Amendment of section 147A of Mah. XL of 1965.

LX of 1958.

“Provided that, the stamp duty leviable under the Maharashtra Stamp Act, on instrument of sale, gift and usufructuary mortgage, respectively, of immovable property shall, in the case of any such instrument relating to immovable property situated in the City,—

(a) for the period commencing from the 1st September 2020 and ending on the 31st December 2020, not be increased by any surcharge, under this sub-section;

(b) for the period commencing from the 1st January 2021 and ending on the 31st March 2021, be reduced by a surcharge at the rate of half per cent., under this sub-section ;

LX of 1958.

(c) with effect from the 1st April 2021, in case the State Government reduces or remits the stamp duty under the Maharashtra Stamp Act, be reduced or remitted by a surcharge at such rate as the State Government may, by an order in the *Official Gazette*, specify, under this sub-section.”.

CHAPTER IV

MISCELLANEOUS.

6. (1) Notwithstanding anything contained in any judgement, decree or order of any court to the contrary, any assessment, review, levy or collection of additional stamp duty or surcharge in respect of execution of instruments of sale, gift and usufructuary mortgage, or any action taken or thing done in relation to such assessment, review, levy or collection under the provisions of the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (hereinafter referred to as “the principal Municipal Corporations Acts”), prior to the date of commencement of the Mumbai Municipal Corporation, the Maharashtra

Validation of additional stamp duty levied and collected.

III of 1888.
LIX of 1949.
Mah. XL of 1965.
Mah. XXXIII of 2020.

Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2020 (hereinafter in this section referred to as “the Amendment Act”), shall be deemed to be valid and effective as if such assessment, review, levy or collection or action or thing had been duly made, taken or done under the principal Municipal Corporations Acts, as amended by the Amendment Act, accordingly,—

(a) all acts, proceedings or things done or taken by any authority or by the State Government or by any officer of the State Government in connection with the assessment, review, levy or collection or action or thing in connection with the levy of such stamp duty or surcharge, for all purposes be deemed to be, and to have always been done or taken in accordance with the law;

(b) no suit, appeal, application or other proceedings shall lie or be maintained or continued in any Court or before any Tribunal, officer or other authority for the refund of such stamp duty or surcharge so paid; and

(c) no Court, Tribunal, officer or other authority shall enforce any decree or order directing the refund of such duty or surcharge.

(2) For the removal of doubt it is hereby declared that, nothing in sub-section (1) shall be construed as preventing a person,—

(a) from questioning in accordance with the provisions of the principal Municipal Corporations Acts, as amended by the Amendment Act, assessment, review, levy or collection of such stamp duty or surcharge, referred to in sub-section (1); or

(b) from claiming refund of any additional stamp duty or surcharge paid by him in excess of the amount due from him by way of stamp duty under the principal Municipal Corporations Acts as amended by the Amendment Act.

(3) Nothing in the principal Municipal Corporations Acts, as amended by the Amendment Act, shall render any person liable to be convicted of any offence in respect of anything done or omitted to be done by him, before the date of commencement of the Amendment Act, if such act or omission was not an offence under the principal Municipal Corporations Acts on the relevant date, but for such amendment made by the Amendment Act; nor shall any person in respect of such act or omission be subject to a penalty greater than that which could have been imposed on him under the law in force immediately before the date of commencement of the Amendment Act.

Mah.
Ord. XVI
of 2020.

7. (1) The Mumbai Municipal Corporation, the Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2020, is hereby repealed.

Repeal of
Mah. Ord. XVI
of 2020 and
saving.

III of
1888
LIX of
1949.
Mah. XL
of 1965.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, as amended by the said Ordinance, shall be deemed to have been done, taken or, as the case may be, issued under the corresponding provisions of the said Acts, as amended by this Act.



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ८, अंक ३]

मंगळवार, जानेवारी २५, २०२२/माघ ५, शके १९४३

[पृष्ठे २, किंमत : रुपये २७.००

असाधारण क्रमांक १०

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 Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2021 (Mah. Act No. X of 2022), is hereby published under the authority of the Governor.

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

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

MAHARASHTRA ACT No. X OF 2022.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 25th January 2022).

An Act further to amend the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965.

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

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 Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, for the purposes hereinafter appearing; and therefore, promulgated the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2021 on the 1st October 2021 ;

Mah.
XL of
1965.
Mah.
Ord.
V of
2021.

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

- Short title and commencement. **1.** (1) This Act may be called the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2021.
(2) It shall be deemed to have come into force on the 1st October 2021.
- Amendment of section 10 of Mah. XL of 1965. **2.** In section 10 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (hereinafter referred to as “the principal Act”), in sub-section (2), for the proviso, the following proviso shall be substituted, namely :—
“Provided that, after the commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2021, in respect of the general elections to the Municipal Councils, each of the wards shall elect as far as possible two Councillors but not more than three Councillors, and each voter shall, notwithstanding anything contained in sub-section (2) of section 14, be entitled to cast the same number of votes, as the number of Councillors to be elected in his ward.”
- Repeal of Mah. Ord. V of 2021 and saving. **3.** (1) The Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2021, is hereby repealed.
(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the principal Act, as amended by the said Ordinance, shall be deemed to have been done, taken or, as the case may be, issued under the corresponding provisions of the principal Act, as amended by this Act.



महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

वर्ष ८, अंक ३(८)]

मंगळवार, जानेवारी २५, २०२२/माघ ५, शके १९४३

[पृष्ठे ५, किंमत : रुपये २७.००

असाधारण क्रमांक १७

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 Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2021 (Mah. Act. No. XII of 2022), is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,

I/c. Secretary (Legislation) to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XII OF 2022.

*(First published, after having received the assent of the Governor in the
" Maharashtra Government Gazette ", on the 25th January 2022).*

An Act further to amend the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965.

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

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 Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, for the purposes hereinafter appearing ; and therefore, promulgated the Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2021 on the 2nd November 2021.

LIX of
1949
Mah. XL
of 1965.

Mah. Ord.
X of 2021.

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

CHAPTER I

PRELIMINARY

Short title and
commencement.

1. (1) This Act may be called the Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2021.

(2) It shall be deemed to have come into force on the 2nd November 2021.

CHAPTER II

AMENDMENT TO THE MAHARASHTRA MUNICIPAL CORPORATIONS ACT.

Amendment of
section 5 of LIX
of 1949.

2. In section 5 of the Maharashtra Municipal Corporations Act, in sub-section (2), in clause (a), for the TABLE, the following TABLE shall be substituted, namely :—

LIX of
1949.

“ TABLE

	Population (1)	Number of Elected Councillors (2)
(i)	Above 3 lakhs and upto 6 lakhs.	The minimum number of elected Councillors shall be 76. For every additional population of 15,000 above 3 lakhs, one additional Councillor shall be provided, so however that the maximum number elected Councillors shall not exceed 96.
(ii)	Above 6 lakhs and upto 12 lakhs.	The minimum number of elected Councillors shall be 96. For every additional population of 20,000 above 6 lakhs, one additional Councillor shall be provided, so however that, the

(1)	(2)
	maximum number of elected Councillors shall not exceed 126.
(iii) Above 12 lakhs and upto 24 lakhs.	The minimum number of elected Councillors shall be 126. For every additional population of 40,000 above 12 lakhs, one additional Councillor shall be provided, so however that, the maximum number of elected Councillors shall not exceed 156.
(iv) Above 24 lakhs and upto 30 lakhs.	The minimum number of elected Councillors shall be 156. For every additional population of 50,000 above 24 lakhs, one additional Councillor shall be provided, so however that, the maximum number of elected Councillors shall be 168.
(v) Above 30 lakhs.	The minimum number of elected Councillors shall be 168. For every additional population of 1 lakhs above 30 lakhs, one additional Councillor shall be provided, so however that, the maximum number of elected Councillors shall be 185.”.

CHAPTER III

AMENDMENT TO THE MAHARASHTRA MUNICIPAL COUNCILS, *NAGAR PANCHAYATS* AND INDUSTRIAL TOWNSHIPS ACT, 1965.

Mah. XL
1965.

3. In section 9 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, in sub-section (2), in clause (a), for the TABLE, the following TABLE shall be substituted, namely :—

Amendment of
section 9 of
Mah. XL of
1965.

“TABLE

Class of Municipal Area (1)	Number of Elected Councillors (2)
(i) “A” Class	The minimum number of elected Councillors shall be 40, and for every 8,000 of the population above 1,00,000, there shall be one additional elected Councillor, so however that, the total number of elected Councillors shall not exceed 75;
(ii) “B” Class	The minimum number of elected Councillors shall be 25, and for every 5,000 of the population above 40,000 there shall be one additional elected Councillor, so however that, the total number of elected Councillors shall not exceed 37;
(iii) “C” Class	The minimum number of elected Councillors shall be 20, and for every 3,000 of the population above 25,000 there shall be one additional elected Councillor, so however that, the total number of elected Councillors shall not exceed 25.”.

CHAPTER IV

MISCELLANEOUS

Repeal of Mah.
Ord. X of 2021
and saving.

4. (1) The Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2021, is hereby repealed.

Mah. Ord.
X of 2021.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, as amended by the said Ordinance, shall be deemed to have been done, taken or, as the case may be, issued under the corresponding provisions of the relevant Acts, as amended by this Act.

LIX of
1949.
Mah. XL
of 1965.



महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

वर्ष ८, अंक ३(२)]

मंगळवार, जानेवारी २५, २०२२/माघ ५, शके १९४३

[पृष्ठे ३, किंमत : रुपये २७.००

असाधारण क्रमांक ११

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 Mumbai Municipal Corporation, Maharashtra Municipal Corporations Act and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2021 (Mah. Act No. XIII of 2022) is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,

I/c. Secretary (Legislation) to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XIII OF 2022.

(First published, after having received the assent of the Governor in the
“ Maharashtra Government Gazette ”, on the 25th January 2022).

An Act further to amend the Mumbai Municipal Corporation Act,
the Maharashtra Municipal Corporations Act and the Maharashtra Municipal
Councils, *Nagar Panchayats* and Industrial Townships Act, 1965.

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

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 Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, for the purposes hereinafter appearing ; and therefore, promulgated the Mumbai Municipal Corporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Ordinance, 2021 on the 6th December 2021;

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

(१)

CHAPTER I

PRELIMINARY

Short title and commencement.

1. (1) This Act may be called the Mumbai Municipal Corporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2021.

(2) It shall be deemed to have come into force on the 6th December 2021.

CHAPTER II

AMENDMENTS TO THE MUMBAI MUNICIPAL CORPORATION ACT

Amendment of section 5B of III of 1888.

2. In section 5B of the Mumbai Municipal Corporation Act (hereinafter in this Chapter referred to as "the Mumbai Corporation Act"), in the first proviso, for the words, brackets, figures and letters "commencing on the date of commencement of the Mumbai Municipal Corporation, the Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2018 and ending on the 30th June 2019" the words, brackets, figures and letters "commencing on the date of commencement of the Mumbai Municipal Corporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2021 and ending on the 31st December 2022" shall be substituted.

III of 1888.

Mah. XXI of 2018.

Mah. XIII of 2022.

Amendment of section 37 of III of 1888.

3. In section 37 of the Mumbai Corporation Act, in sub-section (2A), in the first proviso, for the words, brackets, figures and letters "commencing on the date of commencement of the Mumbai Municipal Corporation, the Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2018 and ending on the 30th June 2019" the words, brackets, figures and letters "commencing on the date of commencement of the Mumbai Municipal Corporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2021 and ending on the 31st December 2022" shall be substituted.

Mah. XXI of 2018.

Mah. XIII of 2022.

CHAPTER III

AMENDMENTS TO THE MAHARASHTRA MUNICIPAL CORPORATIONS ACT

Amendment of section 5B of LIX of 1949.

4. In section 5B of the Maharashtra Municipal Corporations Act (hereinafter in this Chapter referred to as "the Maharashtra Corporations Act"), in the first proviso, for the words, brackets, figures and letters "commencing on the date of commencement of the Mumbai Municipal Corporation, the Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2018 and ending on the 30th June 2019" the words, brackets, figures and letters "commencing on the date of commencement of the Mumbai Municipal Corporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2021 and ending on the 31st December 2022" shall be substituted.

LIX of 1949.

Mah. XXI of 2018.

Mah. XIII of 2022.

Amendment of section 19 of LIX of 1949.

5. In section 19 of the Maharashtra Corporations Act, in sub-section (1B), in the first proviso, for the words, brackets, figures and letters "commencing on the date of commencement of the Mumbai Municipal Corporation, the Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2018 and ending on the 30th June 2019" the words, brackets, figures and letters "commencing on the date of commencement of the Mumbai Municipal Corporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2021 and ending on the 31st December 2022" shall be substituted.

Mah. XXI of 2018.

Mah. XIII of 2022.

CHAPTER IV

AMENDMENTS TO THE MUMBAI MUNICIPAL COUNCILS, *NAGAR PANCHAYATS* AND INDUSTRIAL TOWNSHIPS ACT, 1965.

Mah. XL of 1965. **6.** In section 9A of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (hereinafter in this Chapter referred to as “the Municipal Councils Act”), in the first proviso, for the words, brackets, figures and letters “commencing on the date of commencement of the Mumbai Municipal Corporation, the Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2018 and ending on the 30th June 2019” the words, brackets, figures and letters “commencing on the date of commencement of the Mumbai Municipal Corporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2021 and ending on the 31st December 2022” shall be substituted.

Amendment of section 9A of Mah. XL of 1965.

Mah. XXI of 2018. **7.** In section 51-1B of the Municipal Councils Act, in the first proviso, for the words, brackets, figures and letters “commencing on the date of commencement of the Mumbai Municipal Corporation, Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2018 and ending on the 30th June 2019” the words, brackets, figures and letters “commencing on the date of commencement of the Mumbai Municipal Corporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2021 and ending on the 31st December 2022” shall be substituted.

Amendment of section 51-1B of Mah. XL of 1965.

CHAPTER V

MISCELLANEOUS

Mah. Ord. XV of 2021. **8. (1)** The Mumbai Municipal Corporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Ordinance, 2021, is hereby repealed.

Repeal of Mah. Ord. XV of 2021 and saving.

III of 1888. LIX of 1949. Mah. XL of 1965. **(2)** Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, as amended by the said Ordinance, shall be deemed to have been done, taken or, as the case may be, issued under the corresponding provisions of the relevant Acts, as amended by this Act.



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ८, अंक ५(२)]

मंगळवार, फेब्रुवारी १, २०२२/माघ १२, शके १९४३

[पृष्ठे ३, किंमत : रुपये २७.००

असाधारण क्रमांक २०

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 Mumbai Municipal Corporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2021 (Mah. Act No. XX of 2022), is hereby published under the authority of the Governor.

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

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

MAHARASHTRA ACT No. XX OF 2022.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 1st February 2022).

An Act further to amend the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965.

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

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 Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, for the purposes hereinafter appearing ; and therefore, promulgated the Mumbai Municipal Corporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2021 on the 1st October 2021 ;

III of
1888.
LIX of
1949.
Mah. XL
of 1965.
Mah.
Ord. VI of
2021.

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

CHAPTER I

PRELIMINARY.

Short title and commencement.

1. (1) This Act may be called the Mumbai Municipal Corporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2021.

(2) It shall be deemed to have come into force on the 1st October 2021.

CHAPTER II

AMENDMENT TO THE MUMBAI MUNICIPAL CORPORATION ACT.

Amendment of section 5A of III of 1888.

2. In section 5A of the Mumbai Municipal Corporation Act, in sub-section (4), for clause (a), the following clause shall be substituted, namely :—

III of
1888.

“(a) The seats to be reserved for the persons belonging to the category of Backward Class of citizens shall be upto 27 per cent. of the total number of seats to be filled in by direct election in a Corporation and the total reservation shall not be more than 50 per cent. of the total seats in the Corporation ;”.

CHAPTER III

AMENDMENT TO THE MAHARASHTRA MUNICIPAL CORPORATIONS ACT.

Amendment of section 5A of LIX of 1949.

3. In section 5A of the Maharashtra Municipal Corporations Act, in sub-section (1), for clause (c), the following clause shall be substituted, namely :—

LIX of
1949.

“(c) the seats to be reserved for the persons belonging to the category of Backward Class of citizens shall be upto 27 per cent. of the total number of seats to be filled in by direct election in a Corporation and the total reservation shall not be more than 50 per cent of the total seats in the Corporation and such seats shall be allotted by rotation to different wards in a Corporation :

Provided that, one-half of the total number of seats so reserved shall be reserved for women belonging to the category of Backward Class of citizens;”.

CHAPTER IV

AMENDMENT TO THE MAHARASHTRA MUNICIPAL COUNCILS, *NAGAR PANCHAYATS* AND INDUSTRIAL TOWNSHIPS ACT, 1965.

Mah. XL of 1965. **4.** In section 9 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, in sub-section (2), for clause (d), the following clause shall be substituted, namely :—

Amendment of section 9 of Mah. XL of 1965.

“(d) the seats to be reserved for the persons belonging to the category of Backward Class of citizens shall be upto 27 per cent. of the total number of seats to be filled in by direct election in a Municipal Council and the total reservation shall not be more than 50 per cent. of the total seats in the Municipal Council :

Provided that, one-half of the total number of seats so reserved shall be reserved for women belonging to the category of Backward Class of citizens.”.

CHAPTER V

MISCELLANEOUS

Mah. Ord. VI of 2021. **5.** (1) The Mumbai Municipal Corporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2021, is hereby repealed.

Repeal of Mah. Ord. VI of 2021 and saving.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, as amended by the said Ordinance, shall be deemed to have been done, taken or, as the case may be, issued under the corresponding provisions of the relevant Acts, as amended by this Act.

III of 1888.
LIX of 1949.
Mah. XL of 1965.



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ८, अंक १२]

शुक्रवार, मार्च ११, २०२२/फाल्गुन २०, शके १९४३

[पृष्ठे ३, किंमत : रुपये २७.००

असाधारण क्रमांक ३०

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 Mumbai Municipal Corporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2022 (Mah. Act No. XXI of 2022), is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,

I/c. Secretary (Legislation) to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XXI OF 2022.

(First published, after having received the assent of the Governor in the "*Maharashtra Government Gazette*", on the 11th March 2022).

An act further to amend the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965.

III of Whereas, it is expedient further to amend the Mumbai Municipal
1888. Corporation Act, the Maharashtra Municipal Corporations Act and
LIX the Maharashtra Municipal Councils, *Nagar Panchayats* and
of Industrial Townships Act, 1965, for the purposes hereinafter
1949. appearing; it is hereby enacted in the Seventy-third Year of the
Mah. XL of Republic of India as follows :—
1965.

CHAPTER I

PRELIMINARY

1. This Act may be called the Mumbai Municipal Corporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2022. Short title.

CHAPTER II

AMENDMENT TO THE MUMBAI MUNICIPAL CORPORATION ACT.

Amend- 2. In section 19 of the Mumbai Municipal Corporation Act, in III of
ment of sub-section (1), in clause (a), for the words "State Election 1888.
section 19 Commissioner", at both the places where they occur, the words
of III of "State Government with the approval of the State Election
1888. Commissioner" shall be substituted.

CHAPTER III

AMENDMENT TO THE MAHARASHTRA MUNICIPAL CORPORATIONS ACT.

Amend- 3. In section 5 of the Maharashtra Municipal Corporations Act, LIX of
ment of in sub-section (3), for the words "State Election Commissioner" at 1949.
section 5 of both the places where they occur, the words "State Government
LIX of with the approval of the State Election Commissioner" shall be
1949. substituted.

CHAPTER IV

AMENDMENT TO THE MAHARASHTRA MUNICIPAL COUNCILS, NAGAR
PANCHAYATS AND INDUSTRIAL TOWNSHIPS ACT, 1965.

Amend- 4. In section 10 of the Maharashtra Municipal Councils, Nagar Mah.
ment of Panchayats and Industrial Townships Act, 1965, for sub-section (1), XL of
section 10 the following sub-section shall be substituted, namely :- 1965.
of Mah. XL
of 1965.

(1) Subject to the provisions of section 9,-

(a) the State Government shall with the approval of the State Election Commissioner, from time to time, by an order published in the *Official Gazette*, fix for each municipal area, the number and the extent of the wards into which such area shall be divided :

Provided that, before the publication of any such order, the State Government with the approval of the State Election Commissioner shall cause to be placed on the notice board, in the municipal office and in such other places in the municipal area as it thinks fit, a draft of the order proposed to be made by it, for the information of all residents of the municipal area and shall cause a notice to be published in atleast one newspaper circulating in the area announcing its intention to publish such order and inviting all persons who entertain any objections to the draft order aforesaid to submit the same to it in writing, with reason therefor, within seven days from the date of publication of the notice in the newspaper;

(b) the State Election Commissioner shall, by an order published in the *Official Gazette*, specify the wards in which seats are reserved for the Scheduled Castes, the Scheduled Tribes, the Backward Class of Citizens and Women (including the number of seats reserved for women belonging to the Scheduled Castes, the Scheduled Tribes and the Backward Class of Citizens). The State Election Commissioner shall, while passing any such order for subsequent general elections, ensure that such seats are reserved by rotation in different wards in the municipal area, so that all the wards shall get the benefit of such reservation :

Provided that, before the publication of any such order, the State Election Commissioner shall cause to be placed on the notice board in his office, in the municipal office and in such other places in the municipal area as he thinks fit, a draft of the order proposed to be made by him, for the information of all residents of the municipal area and shall cause a notice to be published in atleast one newspaper circulating in the area announcing his intention to publish such order and inviting all persons who entertain any objections to the draft order aforesaid to submit the same to him in writing, with reason therefor, within seven days from the date of publication of the notice in the newspaper.

CHAPTER V

MISCELLANEOUS

III 5. Notwithstanding anything contained in the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and 1888. the Maharashtra Municipal Councils, *Nagar Panchayats* and LIX Industrial Townships Act, 1965 (hereinafter referred to as “the said of Acts”) and the rules made thereunder, where the process to divide 1949. the area of Municipal Corporations, Municipal Councils and *Nagar Mah. Panchayats* into wards and to specify the boundaries thereof is XL of started or completed by the State Election Commissioner, before 1965. the date of commencement of the Mumbai Municipal Corporation, Mah. Maharashtra Municipal Corporations and Maharashtra Municipal XXI of Councils, *Nagar Panchayats* and Industrial Townships (Amendment) 2022. Act, 2022, shall be deemed to be annulled and the process to divide the area of Municipal Corporations, Municipal Councils and *Nagar Panchayats* into wards and to specify the boundaries thereof, shall be done afresh according to the provisions of the said Acts as amended by this Act.

Annulment of process to divide area of Municipal Corporations, Municipal Councils and *Nagar Panchayats* in wards.



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ८, अंक ३६(२)]

सोमवार, ऑगस्ट २९, २०२२/भाद्रपद ७, शके १९४४

[पृष्ठे ३ किंमत : रुपये २७.००

असाधारण क्रमांक ७७

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 Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2022 (Maharashtra Act No. XLI of 2022), is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,

I/c. Secretary (Legislation) to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XLI OF 2022.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 29th August 2022).

An Act further to amend the Maharashtra Municipal Councils,
Nagar Panchayats and Industrial Townships Act, 1965.

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

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 Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, for the purposes hereinafter appearing; and, therefore, promulgated the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2022, on the 14th July 2022;

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature; it is hereby enacted in the Seventy-third Year of the Republic of India as follows:—

Short title and commencement.	<p>1. (1) This Act may be called the Maharashtra Municipal Councils, <i>Nagar Panchayats</i> and Industrial Townships (Amendment) Act, 2022.</p> <p>(2) It shall be deemed to have come into force on the 14th July 2022.</p>	
Amendment of section 51A-1A of Mah. XL of 1965.	<p>2. In section 51A-1A of the Maharashtra Municipal Councils, <i>Nagar Panchayats</i> and Industrial Townships Act, 1965 (hereinafter referred to as “the principal Act”), for sub-section (1), the following sub-section shall be substituted, namely:—</p>	Mah. XL of 1965.
	<p>“(1) Notwithstanding anything contained in section 51, every Municipal Council, to which the general election is to be held after the date of the commencement of the Maharashtra Municipal Councils, <i>Nagar Panchayats</i> and Industrial Townships (Amendment) Act, 2022, subject to the provisions of section 51-1A, shall have a President who shall be elected by the persons whose names are included in the Municipal Council voters list prepared under section 11.”.</p>	Mah. XLI of 2022.
Deletion of section 51A-1B of Mah. XL of 1965.	<p>3. Section 51A-1B of the principal Act shall be deleted.</p>	
Amendment of section 51A of Mah. XL of 1965.	<p>4. In section 51A of the principal Act,—</p> <p>(1) in sub-section (6A), for the words and figures “after the commencement of the Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, <i>Nagar Panchayats</i> and Industrial Townships (Amendment) Act, 2016”, the words and figures “after the date of the commencement of the Maharashtra Municipal Councils, <i>Nagar Panchayats</i> and Industrial Townships (Amendment) Act, 2022” shall be substituted;</p>	Mah. IX of 2017. Mah. XLI of 2022.
	<p>(2) sub-section (6B) shall be deleted.</p>	
Substitution of section 52 of Mah. XL of 1965.	<p>5. For section 52 of the principal Act, the following section shall be substituted, namely:—</p>	
Term of Office of President.	<p>“52. The term of Office of the President shall be five years from the date of his election and his term shall be co-terminus with the term of the Council:</p>	
	<p>Provided that, nothing in this section shall apply to the President who is holding the Office in respect of the Council for which general elections have been held prior to the date of commencement of the Maharashtra Municipal Councils, <i>Nagar Panchayats</i> and Industrial Townships (Amendment) Act, 2022, and the provisions of this section, as it existed on the date immediately preceding the date of such commencement, shall continue to apply in respect of the term of Office of such President.”.</p>	Mah. XLI of 2022.
Amendment of section 341B-1A of Mah. XL of 1965.	<p>6. In section 341B-1A of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—</p>	
	<p>“(1) Notwithstanding anything contained in section 341B-1, every <i>Nagar Panchayat</i>, to which the general election is to be held after the date of the commencement of the Maharashtra Municipal Councils,</p>	

Mah. XLI
of 2022.

Nagar Panchayats and Industrial Townships (Amendment) Act, 2022, subject to the provisions of section 51-1A, shall have a President who shall be elected by the persons whose names are included in the voters list prepared for elections of Councillors of *Nagar Panchayats* from each ward under section 341B.”

7. Section 341B-1B of the principal Act shall be deleted.

Deletion of section 341B-1B of Mah. XL of 1965.

8. In section 341B-2 of the principal Act,—

Amendment of section 341B-2 of Mah. XL of 1965.

Mah.
VIII of
2018.
Mah. XLI
of 2022.

(1) in sub-section (6A), for the words and figures “after the commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2017”, the words and figures “after the date of the commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2022” shall be substituted;

(2) sub-sections (6B) and (6C) shall be deleted.

9. In section 341B-4 of the principal Act,—

Amendment of section 341B-4 of Mah. XL of 1965.

Mah.
VIII of
2018.
Mah. XLI
of 2022.

(1) in sub-section (3), for the words and figures “prior to the date of commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2017”, the words and figures “prior to the date of commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2022” shall be substituted;

(2) sub-section (4) shall be deleted.

10. (1) If any difficulty arises in giving effect to the provisions of the principal Act, as amended by this Act, the State Government may, as occasion arises, by an order published in the *Official Gazette*, do anything not inconsistent with the provisions of the principal Act, as amended by this Act, which appears to it to be necessary or expedient for the purposes of removing the difficulty:

Power to remove difficulty.

Provided that, no such order shall be made after the expiry of the period of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be, after it is made, before each House of the State Legislature.

Mah.
Ord. IV
of 2022.

11. (1) The Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2022, is hereby repealed.

Repeal of Mah. Ord. IV of 2022 and saving.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the principal Act, as amended by the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of the principal Act, as amended by this Act.