



महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

वर्ष २, अंक ६६]

गुरुवार, ऑक्टोबर २७, २०१६/कार्तिक ५, शके १९३८

[पृष्ठे ३, किंमत : रुपये २७.००

असाधारण क्रमांक १११

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 (Amendment) Ordinance, 2016 (Mah. Ord. XXVI of 2016), is hereby published under the authority of the Governor.

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

P. H. MALI,

Principal Secretary to Government,
Law and Judiciary Department.

(Translation in English of the Mumbai Municipal Corporation (Amendment) Ordinance, 2016 (Mah. Ord. XXVI of 2016), published under the authority of the Governor).

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 27th October 2016.

MAHARASHTRA ORDINANCE No. XXVI OF 2016.

AN ORDINANCE

further to amend the Mumbai Municipal Corporation Act.

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

AND WHEREAS the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Mumbai Municipal Corporation Act, for the purposes hereinafter appearing;

(१)

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgate the following Ordinance, namely :—

Short title and commencement.

1. (1) This Ordinance may be called the Mumbai Municipal Corporation (Amendment) Ordinance, 2016.

(2) It shall come into force at once.

Amendment of section 91B of III of 1888.

2. In section 91B of the Mumbai Municipal Corporation Act,—

III of 1888.

(a) in sub-section (3), for the words “an amount equal to half of the lease rent” the words “an amount equal to seventy per cent. of the lease rent” shall be substituted ;

(b) in sub-section (4),—

(i) for the words “ after every ten years ” the words “at any time within a period of ten years ” shall be substituted ;

(ii) in the proviso, for the words “ the Revenue and Forests Department” the words “the Urban Development Department or, where the policy of the Urban Development Department does not exist in respect of such land then of, the Revenue and Forests Department” shall be substituted.

STATEMENT

Section 91B of the Mumbai Municipal Corporation Act (III of 1888) provides for vesting of property specified in Schedule W appended to the said Act in Government on the termination of lease granted by the Mumbai Municipal Corporation. Sub-section (2) of the said section 91B empowers the State Government to lease afresh such land to the Mumbai Municipal Corporation. Sub-section (3) of the said section 91B provides that on such re-vesting of the land in the Corporation, as provided in sub-section (2) thereof, the Corporation shall pay to the State Government an amount equal to half of the lease rent that may be received by it. It is necessary that 70 per cent. of the lease rent in respect of such land received by the Corporation should be paid to the State Government by the Corporation and it is expedient to amend the said sub-section (3) suitably.

Sub-section (4) of the said section 91B provides that the Corporation may revise the rates of the lease rent after every ten years and while revising such rates, the Corporation shall be bound by the policy of the Revenue and Forests Department of the State Government, for granting lease of the Government land. In order to enable the Corporation to revise rates of the lease rent at any time within a period of ten years and while revising such rates, the Corporation shall be bound by the policy of the Urban Development Department and in case, the policy of the Urban Development Department does not exist, then of the Revenue and Forests Department, it is expedient to amend the said sub-section (4) suitably.

2. As both Houses of the State Legislature are not in session and the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Mumbai Municipal Corporation Act (III of 1888), for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,
Dated the 25th October 2016.

CH. VIDYASAGAR RAO,
Governor of Maharashtra.

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

MANISHA PATANKAR-MHAISKAR,
Secretary to Government.