



महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

वर्ष ७, अंक २४(२)]

बुधवार, डिसेंबर २२, २०२१/पौष १, शके १९४३

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असाधारण क्रमांक ५१

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 the Maharashtra Municipal Corporations (Amendment) Bill, 2021 (L. A. Bill No. XXI of 2021), introduced in the Maharashtra Legislative Assembly on the 22nd December 2021, 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.

L. A. BILL No. XXI OF 2021.

A BILL

further to amend the Maharashtra Municipal Corporations Act.

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, for the purposes hereinafter appearing ; and therefore, promulgated the Maharashtra Municipal Corporations (Amendment) Ordinance, 2021 on the 30th September 2021;

LIX of
1949.
Mah.
Ord. IV
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 :—

(१)

Short title and commencement.

1. (1) This Act may be called the Maharashtra Municipal Corporations (Amendment) Act, 2021.

(2) It shall be deemed to have come into force on the 30th September 2021.

Amendment of section 5 of LIX of 1949.

2. In section 5 of the Maharashtra Municipal Corporations Act (hereinafter referred to as “the principal Act”), in sub-section (3), for the first proviso, the following proviso shall be substituted, namely :—

LIX of 1949.

“Provided that, after the commencement of the Maharashtra Municipal Corporations (Amendment) Act, 2021, in respect of the general elections to the Corporations, each of the wards shall elect as far as possible three Councillors, but not less than two and not more than four Councillors, and each voter shall, notwithstanding anything contained in this Act, be entitled to cast the same number of votes, as the number of Councillors to be elected in his ward :”

Mah. of 2021.

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

3. (1) The Maharashtra Municipal Corporations (Amendment) Ordinance, 2021, is hereby repealed.

Mah. Ord. IV of 2021.

(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.

STATEMENT OF OBJECTS AND REASONS

As per the then existing provisions of the Maharashtra Municipal Corporations Act (LIX of 1949), each ward in the Municipal Corporations elects only one Councillor. While dealing with the health emergency within the areas of Municipal Corporations in the State, arose due to Covid-19 pandemic, it was felt necessary to have multi-member ward system in Corporations. After taking the review of such position and with a view to ensure the smooth functioning of the Municipal Corporations, the State Government considered it expedient to suitably amend the provisions of the said Act.

2. It was proposed to provide that, each of the wards of the Municipal Corporations shall elect as far as possible three Councillors but not less than two Councillors and not more than four Councillors. For that purpose, it was proposed to amend section 5 of the said Act, suitably.

3. As both Houses of the State Legislature were not in session and 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 (LIX of 1949), for the purposes aforesaid, the Maharashtra Municipal Corporations (Amendment) Ordinance, 2021 (Mah. Ord. IV of 2021), was promulgated by the Governor of Maharashtra on the 30th September 2021.

4. The Bill is intended to replace the said Ordinance by an Act of the State Legislature.

Mumbai,
dated the 3rd November 2021.

EKNATH SHINDE,
Minister for Urban Development.