



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ७, अंक २४ (३)]

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

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असाधारण क्रमांक ५२

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) Bill, 2021 (L. A. Bill No. XXII 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. XXII OF 2021

A BILL

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
Mah. circumstances existed which rendered it necessary for him to take immediate
XL of action further to amend the Maharashtra Municipal Councils, *Nagar*
1965. *Panchayats* and Industrial Townships Act, 1965, for the purposes hereinafter
Mah. appearing; and therefore, promulgated the Maharashtra Municipal Councils,
Ord. *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2021
V of 2021. on the 1st October 2021 ;

(१)

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.

STATEMENT OF OBJECTS AND REASONS

As per the then existing provisions of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (Mah. XL of 1965), each ward in the Municipal Council elects only one Councillor. While dealing with the health emergency within the areas of Municipal Councils in the State, arose due to Covid-19 pandemic, it was felt necessary to have multi-member ward system in civic bodies. After taking the review of such position and with a view to ensure the smooth functioning of the Municipal Councils, 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 Councils shall elect two Councillors but not more than three Councillors. For that purpose, it was proposed to amend section 10 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 Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (Mah. XL of 1965), for the purposes aforesaid, the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2021 (Mah. Ord. V of 2021), was promulgated by the Governor of Maharashtra on the 1st October 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.