



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष १, अंक १३]

बुधवार, एप्रिल १, २०१५/चैत्र ११, शके १९३७

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असाधारण क्रमांक २९

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 (Amendment) Bill, 2015 (L. A. Bill No. XVII of 2015), introduced in the Maharashtra Legislative Assembly on the 1st April 2015, is hereby published under the authority of the Governor.

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

M. A. SAYEED,
Principal Secretary and R.L.A. to Government,
Law and Judiciary Department.

L. A. BILL No. XVII OF 2015.

A BILL

further to amend the Maharashtra Municipal Corporations Act.

LIX OF 1949. WHEREAS it is expedient further to amend the Maharashtra Municipal Corporations Act, for the purposes hereinafter appearing; it is hereby enacted in the Sixty-sixth Year of the Republic of India, as follows :—

1. This Act may be called the Maharashtra Municipal Corporations Short title. (Amendment) Act, 2015.

LIX OF 1949. 2. In section 313 of the Maharashtra Municipal Corporations Act, Amendment of section 313 of LIX of 1949. after the proviso, the following proviso shall be added, namely :—

“Provided further that, no such permission shall be required in respect of the factories, workshop or workplace in the area, notified by the Maharashtra Industrial Development Corporation, within the jurisdiction of the Municipal Corporation.”.

STATEMENT OF OBJECTS AND REASONS

Section 313 of the Maharashtra Municipal Corporations Act (LIX of 1949) provides that, no person shall newly establish in any premises, remove from one place to another, re-open or renew after discontinuance for a period of not less than three years, or enlarge or extend the area or dimensions of any factory, workshop or workplace, except with the previous permission of the Municipal Commissioner.

2. As such, an industrialist who desires to establish a factory, workshop or workplace in an industrial area of the Maharashtra Industrial Development Corporation, within the jurisdiction of the Municipal Corporation has to obtain the permission from the said Industrial Development Corporation as well as of the Municipal Commissioner, resulting in undue delay in establishing the industries.

3. The Central Government has adopted the "Make in India Campaign", which aims to increase the domestic investment and accelerate industrial development. In pursuance of the said "Make in India Campaign" the State Government has decided to implement "Make in Maharashtra Mission" by implementing the "Ease of doing Business" policy.

4. In pursuance of the said policy, it is proposed to provide that if, the industrialist who desires to establish a factory, workshop or workplace in an industrial area of the Maharashtra Industrial Development Corporation, within the jurisdiction of the Municipal Corporation, who has obtained the permission from the said Industrial Development Corporation shall not be required to obtain the permission of the Municipal Commissioner under the said section 313.

5. The Bill seeks to achieve the above objectives.

Mumbai,
Dated the 30th March 2015.

DEVENDRA FADNAVIS,
Chief Minister.

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill involves the following proposal for delegation of legislative power, namely :—

Clause 2.—This clause seeks to amend section 313 of the Maharashtra Municipal Corporations Act, by adding a new proviso thereto. Under the said proviso, power is conferred on the Maharashtra Industrial Development Corporation to notify the area within the jurisdiction of a Municipal Corporation, in respect of which the permission of the Municipal Commissioner to establish any factory, workshop or work-place, for the purposes of the said section 313 will not be required.

2. The above-mentioned proposal for delegation of legislative power is of a normal character.