



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ४, अंक ५५(३)]

बुधवार, जुलै १८, २०१८/आषाढ २७, शके १९४०

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असाधारण क्रमांक ११२

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी 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 (Second Amendment) Bill, 2018 (L. A. Bill No. LVIII of 2018), introduced in the Maharashtra Legislative Assembly on the 18th July 2018, is hereby published under the authority of the Governor.

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

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

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-ninth Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Municipal Corporations (Second Amendment) Act, 2018. Short title.

LIX of 1949. 2. In section 73 of the Maharashtra Municipal Corporations Act, in clause (c), for the words "Subject to the above, for any contract which involves an expenditure in excess of rupees twenty-five lakhs, the previous approval of the Standing Committee shall be necessary:" the words "Subject to the above, for any contract which involves an expenditure in excess of the amount as specified by the State Government, by notification in the *Official Gazette*, from time to time, the previous approval of the Standing Committee shall be necessary and different amount may be specified in respect of different classes of Corporations:".

STATEMENT OF OBJECTS AND REASONS

Section 73 of the Maharashtra Municipal Corporations Act (LIX of 1949), contains the provisions governing the powers of the Commissioner to execute contracts on behalf of the Municipal Corporation. Clause (c) of said section 73, *inter-alia*, provides that, subject to the provisions of the said section, for any contract which involves an expenditure in excess of rupees twenty-five lakhs, the previous approval of the Standing Committee shall be necessary. However, in the present financial situation, small works on behalf of the Municipal Corporation also requires the approval of the Standing Committee. In order to facilitate the execution of contracts expeditiously, it is expedient to make provisions, in the said clause, that for any contract which involves an expenditure in excess of the amount as specified by the State Government, by notification in the *Official Gazette*, from time to time, the previous approval of the Standing Committee shall be necessary. It is also proposed to provide that, different amounts may be specified in respect of different classes of Corporations. For that purpose, clause (c) of section 73 is amended, suitably.

2. The Bill seeks to achieve the above objectives.

Nagpur,

Dated the 17th July 2018.

DEVENDRA FADNAVIS,

Chief Minister.

MEMORANDUM REGARDING DELEGATED LEGISLATION

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

Clause 2.—Under this clause, which seeks to amend clause (c) of section 73 of the Maharashtra Municipal Corporations Act (LIX of 1949), power is taken to the State Government to specify, by notification in the *Official Gazette*, the amount for any contract involving expenditure in excess of which it shall be necessary for the Commissioner to obtain the previous approval of the Standing Committee and different amount may be specified in respect of different classes of Corporations.

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