



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ५, अंक १८ (२)]

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असाधारण क्रमांक ४१

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 and the Maharashtra Municipal Corporations (Amendment) Bill, 2019 (L. A. Bill No. XXX of 2019), introduced in the Maharashtra Legislative Assembly on the 25th June 2019, is hereby published under the authority of the Governor.

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

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

L. A. BILL No. XXX OF 2019.

A BILL

*further to amend the Mumbai Municipal Corporation Act and
the Maharashtra Municipal Corporations Act.*

III of 1888. WHEREAS it is expedient further to amend the Mumbai Municipal
LIX of Corporation Act and the Maharashtra Municipal Corporations Act, for the
1949. purposes hereinafter appearing; it is hereby enacted in the Seventieth Year
of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

1. This Act may be called the Mumbai Municipal Corporation and the Short title.
Maharashtra Municipal Corporations (Amendment) Act, 2019.

(१)

CHAPTER II

AMENDMENT TO MUMBAI MUNICIPAL CORPORATION ACT

Amendment of
section 139A
of III of 1888.

2. In section 139A of the Mumbai Municipal Corporation Act, in sub-section (2), after the words “or any portion of the building”, the following words, brackets and figures shall be added, namely :—

III of
1888.

“and building or land used for administrative or any such purposes, by the Maharashtra State Electricity Distribution Company Limited and its franchisees as defined in clause (27) of section 2 of the Electricity Act, 2003 or the Maharashtra State Electricity Transmission Company Limited but does not include buildings or lands used only for electricity distribution infrastructure such as electrical transformers, any electrical equipment, overhead and underground cables or such similar equipment created or maintained by the Maharashtra State Electricity Distribution Company Limited and such franchisees or the Maharashtra State Electricity Transmission Company Limited.”.

36 of
2003.

CHAPTER III

AMENDMENT TO MAHARASHTRA MUNICIPAL
CORPORATIONS ACT

Amendment of
section 128A
of LIX of
1949.

3. In section 128A of the Maharashtra Municipal Corporations Act, in sub-section (2), after the words “or any portion of the building”, the following words, brackets and figures shall be added, namely :—

LIX of
1949.

“and building or land used for administrative or any such purposes, by the Maharashtra State Electricity Distribution Company Limited and its franchisees as defined in clause (27) of section 2 of the Electricity Act, 2003 or the Maharashtra State Electricity Transmission Company Limited but does not include buildings or lands used only for electricity distribution infrastructure such as electrical transformers, any electrical equipment, overhead and underground cables or such similar equipment created or maintained by the Maharashtra State Electricity Distribution Company Limited and such franchisees or the Maharashtra State Electricity Transmission Company Limited.”.

36 of
2003.

STATEMENT OF OBJECTS AND REASONS.

Sub-section (1) of section 139A of the Mumbai Municipal Corporation Act (III of 1888) specifies the various property taxes leviable on the buildings and lands in the City under the said Act and under sub-section (2) of the said section 139A, for the purposes of levy of property taxes, the expression "Building" includes a flat, a *gala*, a unit or any portion of the building.

Sub-section (1) of section 128A of the Maharashtra Municipal Corporations Act (LIX of 1949) specifies the various property taxes leviable on the buildings and lands in the City under the said Act and under sub-section (2) of the said section 128A, for the purposes of levy of property taxes, the expression "Building" includes a flat, a *gala*, a unit or any portion of the building.

2. In the area of the Mumbai Municipal Corporation and the other Municipal Corporations in the State, the electricity is transmitted and distributed from the source of production to the consumers by the Maharashtra State Electricity Transmission Company Limited as well as the Maharashtra State Electricity Distribution Company Limited and its franchisees thereof, using the electricity distribution infrastructure, such as transformers, poles, cables, etc., and, in view of the above provisions of the said Act, the property taxes are levied thereon. Any taxation such as various property taxes on the electricity distribution infrastructure of the Maharashtra State Electricity Transmission Company Limited as well as the Maharashtra State Electricity Distribution Company Limited and its franchisees thereof, ultimately leads to increase in the cost of electricity to the consumers. Hence, to reduce the burden of such taxes on the consumers of the electricity in the City, it is expedient that the electricity distribution infrastructure of the said Transmission Company as well as said Distribution Company and its franchisees be exempted from paying the property taxes as provided for in the Mumbai Municipal Corporation Act and the Maharashtra Municipal Corporations Act.

3. The Government, therefore, for the above purposes, considers it expedient to amend the Mumbai Municipal Corporation Act, by amending sub-section (2) of section 139A and the Maharashtra Municipal Corporations Act, by amending sub-section (2) of section 128A, suitably.

4. The Bill seeks to achieve the above objectives.

Mumbai,

Dated the 24th June 2019.

DEVENDRA FADNAVIS,

Chief Minister.