



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ६, अंक ६(४)]

मंगळवार, फेब्रुवारी २५, २०२०/फाल्गुन ६, शके १९४१

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असाधारण क्रमांक १०

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 2020 (L. A. Bill No. IV of 2020), introduced in the Maharashtra Legislative Assembly on the 25th February 2020, 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. IV OF 2020.

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 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, for the purposes hereinafter appearing ; and, therefore, promulgated the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2020, on the 27th January 2020;

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature; it is hereby enacted in the Seventy-first Year of the Republic of India as follows :—

Short title and commencement.	<p>1. (1) This Act may be called the Maharashtra Municipal Councils, <i>Nagar Panchayats</i> and Industrial Townships (Amendment) Act, 2020.</p> <p>(2) It shall be deemed to have come into force on the 27th January 2020.</p>	
Amendment of section 10 of Mah. XL of 1965.	<p>2. In section 10 of the Maharashtra Municipal Councils, <i>Nagar Panchayats</i> and Industrial Townships Act, 1965 (hereinafter referred to as “ the principal Act ”), in sub-section (2), in the proviso, after the words, brackets and figures “ the Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, <i>Nagar Panchayats</i> and Industrial Townships (Amendment) Act, 2016 ” the words, brackets and figures, “ but till the day immediately preceding the date of the publication of the Maharashtra Municipal Councils, <i>Nagar Panchayats</i> and Industrial Townships (Amendment) Act, 2020, ” shall be inserted.</p>	Mah.XL of 1965. Mah. IX of 2017. Mah. of 2020.
Removal of doubts.	<p>3. For the removal of doubts, it is hereby declared that nothing in the principal Act, as amended by the Maharashtra Municipal Councils, <i>Nagar Panchayats</i> and Industrial Townships (Amendment) Act, 2020, shall be construed as reducing the number of seats to be reserved for the Scheduled Castes, Scheduled Tribes, Backward Class of Citizens and Women in accordance with the provisions made by or under the principal Act.</p>	Mah. of 2020.
Repeal of Mah. Ord. I of 2020 and saving.	<p>4. (1) The Maharashtra Municipal Councils, <i>Nagar Panchayats</i> and Industrial Townships (Amendment) Ordinance, 2020, is hereby repealed.</p> <p>(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the principal Act, as amended by the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of the principal Act, as amended by this Act.</p>	Mah. Ord.I of 2020.

STATEMENT OF OBJECTS AND REASONS

Sub-section (2) of section 10 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (Mah. XL of 1965), prior to enactment of the Maharashtra Act No. IX of 2017, provided that, each of the ward of the Municipal Councils shall elect only one Councillor. By the said Act of 2017, sub-section (2) of section 10 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 was amended, so as to provide that, each of the wards shall elect as far as possible two Councillors but not more than three Councillors, and each voter shall be entitled to cast the same number of votes, as the number of Councillors to be elected in his ward.

2. After taking the review of the present position and with a view to ensure smooth functioning and specific representation in wards as well as ensuring more accountability in rapid development of the Municipal Councils, it was considered expedient to provide that, each of the wards of the Municipal Council shall elect, only one Councillor. It was, therefore, proposed to amend the proviso to sub-section (2) of section 10 of the said Act, suitably. Consequentially, provision regarding removal of doubts was also provided for.

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, 2020 (Mah. Ord. I of 2020), was promulgated by the Governor of Maharashtra on the 27th January 2020.

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

Mumbai,
Dated the 13th February 2020.

EKNATH SHINDE,
Minister for Urban Development.