

**L. A. BILL No. XXIII OF 2024.**

*A BILL*

*further to amend the Maharashtra Municipal Councils,  
Nagar Panchayats and Industrial Townships Act, 1965.*

5 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  
Mah. XL action further to amend the Maharashtra Municipal Councils, *Nagar*  
of 1965. *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, 2024 on the 16<sup>th</sup> August 2024;

Mah.  
Ord. V  
of 2024.

AND WHEREAS it is expedient to replace the said Ordinance, by an Act of the State Legislature; it is hereby enacted in the Seventy-fifth 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, 2024.  
(2) It shall be deemed to have come into force on the 16th August 2024.
- Amendment of section 341B-1 of Mah. XL of 1965. **2.** In section 341B-1 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (hereinafter referred to as “the principal Act”), sub-section (9) shall be deleted and shall be deemed to have been deleted with effect from the 1<sup>st</sup> January 2022.
- Amendment of section 341B-2 of Mah. XL of 1965. **3.** In section 341B-2 of the principal Act, in sub-section (6), for the words “for a term of two and half years” the words “for a term of five years” shall be substituted and shall be deemed to have been substituted with effect from the 1<sup>st</sup> January 2022.
- Amendment of section 341B-4 of Mah. XL of 1965. **4.** In section 341B-4 of the principal Act,—  
(1) for sub-section (1), the following sub-section shall be substituted and shall be deemed to have been substituted with effect from the 1<sup>st</sup> January 2022, namely:—  
“(1) The term of office of the President shall be of five years and shall be co-terminus with the term of the *Nagar Panchayat*.”;  
(2) sub-section (3) shall be deleted and shall be deemed to have been deleted with effect from the 1<sup>st</sup> January 2022.
- Power to remove difficulties. **5.** (1) If any difficulty arises in giving effect to the provisions of the principal Act, as amended by this Act, the State Government may, as occasion arises, by an order published in the *Official Gazette*, do anything not inconsistent with the provisions of the principal Act, as amended by this Act, which appears to it to be necessary or expedient for the purposes of removing the difficulty:  
Provided that, no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.  
(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before each House of the State Legislature.
- Repeal of Mah. Ord. V of 2024 and saving. **6.** (1) The Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2024, 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.

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of 1965.

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Mah.  
Ord. V  
of 2024.

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## STATEMENT OF OBJECTS AND REASONS

The provisions regarding election to the office of President and Vice-President of *Nagar Panchayat* contained in the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (Mah. XL of 1965) have been amended by the Maharashtra Act No. XII of 2020 with a view to provide for election of the President and Vice-President by elected councillors from among themselves and for two and half years term of such officers. The said Act has been subsequently amended by the Maharashtra Act No. XLI of 2022 with a view to provide for direct election of President and five years term of President and Vice-President in respect of elections of *Nagar Panchayats* to be held after the commencement of Maharashtra Act No. XLI of 2022.

2. The Government considered it necessary to provide that the terms of indirectly elected President and Vice-President of the *Nagar Panchayats*, shall also be five years. It was, therefore, proposed to amend sections 341 B-1, 341B-2 and 341B-4 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, 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, for the purposes aforesaid, the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2024 (Mah. Ord V of 2024) was promulgated by the Governor of Maharashtra on the 16<sup>th</sup> August 2024.

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

Nagpur,  
Dated the 15<sup>th</sup> December, 2024.

DEVENDRA FADNAVIS,  
Chief Minister.



## MEMORANDUM REGARDING DELEGATED LEGISLATION

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

Clause 5(1).—Under this clause, power is taken to the State Government to issue an order in the *Official Gazette* for removing any difficulty, which may arise in giving effect to the provisions of this Act.

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



ANNEXURE TO THE L. A. BILL No. XXIII OF 2024 -  
THE MAHARASHTRA MUNICIPAL COUNCILS, NAGAR PANCHAYATS  
AND INDUSTRIAL TOWNSHIPS (AMENDMENT) BILL, 2024

**(Extracts from the Maharashtra Municipal Councils, Nagar  
Panchayats and Industrial Townships Act, 1965)**

**(Mah. XL of 1965)**

**1. to 341B.** \* \* \* \*

**341B-1. (1) to (8)** \* \* \* \*

(9) The subsequent election to the post of the President after expiry of the first term of the two and a half years of the President elected under the provisions of sub-section (2), shall be held within a period of eight days prior to the expiry of the said term of the earlier President :

Provided that, the newly elected President shall take charge on the last day of the term of the outgoing President or next day thereafter.

**341B-1A.** \* \* \* \*

**341B-2. (1) to (5)** \* \* \* \*

(6) Subject to the provisions of section 55A and other provisions of this Act, the Vice-President, shall hold the office, for a term of two and half years from the date of his election.

(6A) to (7) \* \* \* \*

**341B-3.** \* \* \* \*

**341B-4. (1)** The term of office of the President, shall be of two and half years.

(2) \* \* \* \*

(3) Nothing in sub-section (2) shall apply to the term of office of the Presidents who are holding the office in respect of the Nagar Panchayats for which general elections have been held prior to the date of commencement of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships (Amendment) Act, 2022 and the provisions of this sections, as it existed on the date immediately preceding such date of commencement, shall continue to apply in respect of the term of office of such Presidents.

**341B-5 to 341B-7.** \* \* \* \*

**341C to 341S.** \* \* \* \*

**342 to 351.** \* \* \* \*

**SCHEDULES** \* \* \* \*

Election of  
President  
Nagar  
Panchayat.

Election of  
Vice-  
President  
Nagar  
Panchayat.

Term of office  
of President  
of Nagar  
Panchayat.

**MAHARASHTRA LEGISLATURE  
SECRETARIAT**

**[L. A. BILL No. XXIII OF 2024.]**

**[A Bill further to amend the  
Maharashtra Municipal Councils,  
Nagar Panchayats and Industrial  
Townships Act, 1965.]**

**[SHRI DEVENDRA FADNAVIS,  
Chief Minister.]**

**JITENDRA BHOLE,  
Secretary (1) (I/C),  
Maharashtra Legislative Assembly.**



HB-2349-2

HB-2349-3