

L. A. BILL No. XXXIII OF 2021.

A BILL

further to amend the Mumbai Municipal Corporation Act.

(As passed by the Legislative Assembly on the 28th December 2021.)

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 action further to amend the Mumbai Municipal Corporation Act,
for the purpose hereinafter appearing ; and, therefore, promulgated the
III of 1888. Mah. Ord. 10 XIII of 2021. Mumbai Municipal Corporation (Second Amendment) Ordinance, 2021 on
the 30th November 2021 ;

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

Short title and commencement.	<p>1. (1) This Act may be called the Mumbai Municipal Corporation (Second Amendment) Act, 2021.</p> <p>(2) It shall be deemed to have come into force on the 30th November 2021.</p>	5
Amendment of section 5 of III of 1888.	<p>2. In section 5 of the Mumbai Municipal Corporation Act (hereinafter referred to as “the principal Act”), in sub-section (1), in clause (a), for the words “two hundred and twenty-seven” the words “two hundred and thirty-six” shall be substituted.</p>	III of 1888. 10
Repeal of Mah. Ord. XIII of 2021 and saving.	<p>3. (1) The Mumbai Municipal Corporation (Second Amendment) Ordinance, 2021, is hereby repealed.</p> <p>(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.</p>	Mah. Ord. XIII of 2021. 15

STATEMENT OF OBJECTS AND REASONS

Section 5 of the Mumbai Municipal Corporation Act (III of 1888) provides the number of Councillors directly elected at ward elections in Municipal Corporation of *Brihan* Mumbai. The existing number of directly elected Councillors are based upon the population figures of 2001. After the Census of 2011, the number of directly elected Councillors were not changed.

2. As per the population data of 2011 Census in the decade of 2001 to 2011, there is growth of 3.87 per cent. in the population in the limits of the Municipal Corporation of *Brihan* Mumbai. Considering this growth in urban population and the growing speed of urbanization, to ensure that the increased population to be proportionately represented in the Corporation, it was considered expedient to enhance the number of directly elected Councillors in the Municipal Corporation of *Brihan* Mumbai. It was, therefore, proposed to amend section 5 of the Mumbai Municipal Corporation Act, 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 Mumbai Municipal Corporation Act, for the purpose aforesaid, the Mumbai Municipal Corporation (Second Amendment) Ordinance, 2021 (Mah. Ord. XIII of 2021), was promulgated by the Governor of Maharashtra on the 30th November 2021.

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

Mumbai,
Dated the 17th December 2021.

EKNATH SHINDE,
Minister for Urban Development.

ANNEXURE TO THE L.A. BILL No. XXXIII OF 2021—THE MUMBAI
MUNICIPAL CORPORATION (SECOND AMENDMENT) BILL 2021.

(Extracts from the Mumbai Municipal Corporation Act, 1888)

(Bom. III of 1888)

1. to 4.	*	*	*	*
5. (1) The Corporation shall consist of,—				Composition of Corporation.
(a) Two Hundred and Twenty Seven Councillors directly elected at ward elections ; and				
(b) five nominated Councillors having special knowledge or experience in Municipal Administration to be nominated by the Corporation in the prescribed manner :				
Provided that, nothing in this sub-section shall have effect until the expiry of the existing term of the Corporation.				
(2)	*	*	*	*
5A. and 5B.	*	*	*	*
6. to 528.	*	*	*	*
SCHEDULES	*	*	*	*

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[L. A. BILL No. XXXIII OF 2021.]

**[A Bill further to amend the Mumbai
Municipal Corporation Act.]**

[SHRI EKNATH SHINDE,
Minister for Urban Development.]

**[As passed by the Legislative Assembly
on the 28th December 2021.]**

RAJENDRA BHAGWAT,
Principal Secretary,
Maharashtra Legislative Assembly.