

L. A. BILL No. XX OF 2022.

A BILL

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

(As passed by the Legislative Assembly on the 22nd August, 2022.)

(As passed by the Legislative Council on the 23rd August, 2022.)

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, 2022, on the 14th July 2022;

Mah. XL
of 1965.
Mah.
Ord. IV
of 2022.

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature; it is hereby enacted in the Seventy-third 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, 2022.
(2) It shall be deemed to have come into force on the 14th July 2022.
- Amendment of section 51A-1A of Mah. XL of 1965. **2.** In section 51A-1A of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (hereinafter referred to as “the principal Act”), for sub-section (1), the following sub-section shall be substituted, namely:–
“(1) Notwithstanding anything contained in section 51, every Municipal Council, to which the general election is to be held after the date of the commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2022, subject to the provisions of section 51-1A, shall have a President who shall be elected by the persons whose names are included in the Municipal Council voters list prepared under section 11.”.
- Deletion of section 51A-1B of Mah. XL of 1965. **3.** Section 51A-1B of the principal Act shall be deleted.
- Amendment of section 51A of Mah. XL of 1965. **4.** In section 51A of the principal Act,–
(1) in sub-section (6A), for the words and figures “after the commencement of the Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2016”, the words and figures “after the date of the commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2022” shall be substituted;
(2) sub-section (6B) shall be deleted.
- Substitution of section 52 of Mah. XL of 1965. **5.** For section 52 of the principal Act, the following section shall be substituted, namely:–
- Term of Office of President. **“52.** The term of Office of the President shall be five years from the date of his election and his term shall be co-terminus with the term of the Council:
Provided that, nothing in this section shall apply to the President who is holding the Office in respect of the Council 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 section, as it existed on the date immediately preceding the date of such commencement, shall continue to apply in respect of the term of Office of such President.”.
- Amendment of section 341B-1A of Mah. XL of 1965. **6.** In section 341B-1A of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:–
“(1) Notwithstanding anything contained in section 341B-1, every *Nagar Panchayat*, to which the general election is to be held after the date of the commencement of the Maharashtra Municipal Councils,

Mah. XL of 1965.

Mah. of 2022.

Mah. IX of 2017.

Mah. of 2022.

Mah. of 2022.

Mah.
of 2022.

Nagar Panchayats and Industrial Townships (Amendment) Act, 2022, subject to the provisions of section 51-1A, shall have a President who shall be elected by the persons whose names are included in the voters list prepared for elections of Councillors of *Nagar Panchayats* from each ward under section 341B.”.

7. Section 341B-1B of the principal Act shall be deleted.

Deletion of section 341B-1B of Mah. XL of 1965.

8. In section 341B-2 of the principal Act,—

Amendment of section 341B-2 of Mah. XL of 1965.

Mah.
VIII of
2018.

Mah.
of 2022.

(1) in sub-section (6A), for the words and figures “after the commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2017”, the words and figures “after the date of the commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2022” shall be substituted;

(2) sub-sections (6B) and (6C) shall be deleted.

9. In section 341B-4 of the principal Act,—

Amendment of section 341B-4 of Mah. XL of 1965.

Mah.
VIII of
2018.

Mah.
of 2022.

(1) in sub-section (3), for the words and figures “prior to the date of commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2017”, the words and figures “prior to the date of commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2022” shall be substituted;

(2) sub-section (4) shall be deleted.

10. (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:

Power to remove difficulty.

Provided that, no such order shall be made after the expiry of the period of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be, after it is made, before each House of the State Legislature.

Repeal of
Mah. Ord. IV
of 2022 and
saving.

11. (1) The Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2022, 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 issued, as the case may be, under the corresponding provisions of the principal Act, as amended by this Act.

Mah.
Ord. IV
of 2022.

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[L. A. BILL No. XX OF 2022.]

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

**[SHRI EKNATH SAMBHAJI SHINDE,
Chief Minister.]**

**[As passed by the Legislative Assembly
on the 22nd August, 2022.]**

**[As passed by the Legislative Council
on the 23rd August, 2022.]**

**RAJENDRA BHAGWAT,
Principal Secretary,
Maharashtra Legislative Council.**