

L. A. BILL No. LV OF 2025.

A BILL

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

5 **(As passed by the Legislative Assembly on the 1st July, 2025.)**

WHEREAS both Houses of the State Legislature were not in session ;

Mah.
XL of
1965. 10 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*
Mah.
Ord. I of *Panchayats* and Industrial Townships Act, 1965, for the purposes hereinafter
2025. appearing; and, therefore, promulgated the Maharashtra Municipal Councils,
Nagar Panchayats and Industrial Townships (Amendment) Ordinance, 2025,
on the 15th April 2025;

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature; it is hereby enacted in the Seventy-sixth 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 (Fifth Amendment) Act, 2025. 5

(2) It shall be deemed to have come into force on the 15th April 2025.

Substitution
of section
341B-5 of
Mah. XL of
1965.

2. For section 341B-5 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (hereinafter referred to as “the principal Act”), the following section shall be substituted, namely :— 10

Mah. XL
of 1965.

Removal of
President
of *Nagar
Panchayats* by
Councillors.

“341B-5. (1) A President of a Nagar Panchayat elected under section 341B-1 shall cease to be the President, if the Councillors by a resolution passed at a special meeting by a majority of not less than two-third of the total number of Councillors so decide :

Provided that, no such resolution shall be moved within a period 15 of one year from the date of the election of the President.

(2) The requisition for such special meeting shall be signed by not less than one-half of the total number of Councillors and shall be sent to the Collector.

(3) The Collector shall, within ten days of the receipt of a 20 requisition under sub-section (2), convene a special meeting of the *Nagar Panchayat*:

Provided that, when the Collector convenes a special meeting, he shall give intimation thereof to the President.

(4) A meeting to consider a resolution under sub-section (1) shall 25 be presided over by the Collector or any other officer authorized by him in this behalf, but the Collector or such other officer shall have no right to vote.

(5) The nominated Councillors shall have no right to vote on any resolution relating to the removal of the President. 30

(6) If the resolution seeking the removal of the President is not moved or, as the case may be, rejected, in the special meeting convened for the purpose under sub-section (3), no fresh resolution seeking the removal of the President shall be brought before the Nagar Panchayat.”. 35

Repeal
of Mah.
Ord. I of
2025 and
saving.

3. (1) The Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships (Amendment) Ordinance, 2025, is hereby repealed. Mah. Ord. I of 2025.

(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 40 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.

STATEMENT OF OBJECTS AND REASONS

As per provisions of section 341B-1 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (Mah. XL of 1965) every Nagar Panchayat, to which general election is held before the date of commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2022 (Mah. XLI of 2022), has President who is elected by the elected Councillors from amongst themselves.

2. The procedure for removal of President of *Nagar Panchayats* under section 341B-5 of the said Act involves requisition signed by not less than one half of the total number of Councillors containing charges of misconduct against the President to be sent to the Collector, conduct of inquiry by the Collector, submitting of findings of such inquiry to the Government and taking final decision by the Government upon receipt of inquiry report by the Collector.

It was considered expedient to provide that a President, who is elected by the elected Councillors from amongst themselves, shall cease to be the President if the Councillors by a resolution passed at a special meeting by majority of not less than two-third of the total number of Councillors so decide. Therefore, section 341B-5 of the said Act was proposed to be substituted to provide for removal of such President by the Councillors by a resolution passed at a special meeting and procedure therefor.

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, 2025 (Mah. Ord. I of 2025), was promulgated by the Governor of Maharashtra on the 15th April 2025.

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

Mumbai,
Dated the 11th June, 2025.

EKNATH SHINDE,
Deputy Chief Minister
(Urban Development).

*ANNEXURE TO THE L. A. BILL No. LV OF 2025—
THE MAHARASHTRA MUNICIPAL COUNCILS, NAGAR PANCHAYATS
AND INDUSTRIAL TOWNSHIPS (FIFTH AMENDMENT)) BILL, 2025.*

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

(Mah. XL of 1965)

1. to 341A.	*	*	*	*	constitutions and elections to Nagar Panchayat.
341B.	*	*	*	*	
341B-1 to 341B-4.	*	*	*	*	

341B-5. (1) The requisition for removal of the President elected under section 341B-1 shall be signed by not less than one-half of the total number of Councillors and shall contain the charges of misconduct against such President and shall be sent to the Collector :

Removal of
president
of Nagar
Panchayat by
Councillors.

Provided that, no such requisition shall be sent within a period of one year from the date of election of such President.

(2) Upon receipt of the requisition under sub-section (1), the Collector shall conduct the enquiry of such charges and complete such enquiry within a period of one month from the date of receipt of the requisition :

Provided that, in no one case such period of enquiry shall be extended beyond three months and for such extended period, prior assent of the State Government shall be obtained by the Collector, if the enquiry proceeding is delayed due to unavoidable reasons.

(3) The Collector shall submit the findings of the enquiry to the Government for taking appropriate action under section 55A as applicable therefore.

341B-6 and 341B-7.	*	*	*	*
341C. to 341S.	*	*	*	*
343. to 351.	*	*	*	*

SCHEDULES

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[L. A. BILL No. LV OF 2025.]

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

[SHRI EKNATH SHINDE,
Deputy Chief Minister
(Urban Development).]

**[As passed by the Legislative Assembly
on the 1st July, 2025.]**

JITENDRA BHOLE,
Secretary-1,
Maharashtra Legislative Assembly.