

L. A. BILL No. I OF 2026.

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
action further to amend the Maharashtra Municipal Councils, *Nagar*
Mah. XL of 1965. 10 *Panchayats* and Industrial Townships Act, 1965, for the purposes hereinafter
appearing ; and, therefore, promulgated the Maharashtra Municipal Councils,
Mah. Ord. XIII of 2025. *Nagar Panchayats* and Industrial Townships (Third Amendment) Ordinance,
2025 on the 26th December 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-seventh 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, 2026. 5

(2) It shall be deemed to have come into force on the 26th December 2025.

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”), after sub-section (3), the following sub-section shall be inserted, namely:- 10 Mah. XL of 1965.

“(3A) (i) If any person is elected as a President and as a Councillor, then he may simultaneously, hold both the posts.

(ii) A person holding the post of the President and the Councillor simultaneously, shall have only one vote either as a President or as a Councillor: 15

Provided that, in case of equality of votes, the President shall have casting vote.”.

Amendment of section 341B-1A of Mah. XL of 1965. **3.** In section 341B-1A of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely :—

“(3A) (i) If any person is elected as a President and as a Councillor, 20 then he may simultaneously, hold both the posts.

(ii) A person holding the post of the President and the Councillor simultaneously, shall have only one vote either as a President or as a Councillor:

Provided that, in case of equality of votes, the President shall have casting 25 vote.”.

Repeal of Mah. Ord. XIII of 2025 and saving. **4.** (1) The Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Third Amendment) Ordinance, 2025, is hereby repealed. 30 Mah. Ord. XIII 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 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

Sections 51A-1A and 341B-1A of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (Mah. XL of 1965) provides for direct election of the Presidents of the Municipal Councils and *Nagar Panchayats*, respectively.

2. A person qualified to be elected as a Councillor to the Municipal Councils and *Nagar Panchayats* is also qualified to be elected as a President thereof. Therefore, a person may contest elections as a President and also as a Councillor simultaneously and may also get elected on both the posts. Such person elected on both the posts has electoral mandate of people for both the posts. A person elected indirectly as a President also continues to be a Councillor and functions simultaneously as a President and a Councillor.

Therefore, the Government considered it expedient that a President elected directly should be able to continue as a Councillor also. It was, therefore, proposed to amend sections 51A-1A and 341B-1A of the said Act to provide specifically that person elected as a President directly and as a Councillor, may simultaneously, hold both the posts. It was also proposed to provide that such person shall have only one vote either as a President or as a Councillor and in case of equality of vote, the President shall have a casting vote.

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 (Third Amendment) Ordinance, 2025 (Mah. Ord. XIII of 2025), was promulgated by the Governor of Maharashtra on the 26th December 2025.

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

Mumbai,
Dated the 10th February, 2026.

EKNATH SHINDE,
Deputy Chief Minister
(Urban Development).

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

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Maharashtra Municipal Councils,
Nagar Panchayats and Industrial
Townships Act, 1965.]**

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

JITENDRA BHOLE,
Secretary-1,
Maharashtra Legislative Assembly.