



# महाराष्ट्र शासन राजपत्र

असाधारण  
प्राधिकृत प्रकाशन

शुक्रवार, डिसेंबर २९, २००६ / पौष ८, शके १९२८

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

## भाग आठ

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships (Second Amendment) Act, 2006 (Mah. Act No. XLVIII of 2006), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

A. M. SHINDEKAR,  
Secretary to Government,  
Law and Judiciary Department.

## MAHARASHTRA ACT No. XLVIII OF 2006.

*(First published, after having received the assent of the Governor, in the "Maharashtra Government Gazette" on the 29th December 2006.)*

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

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, 2006, on the 5th October 2006 ;

Mah.  
XL of  
1965.  
Mah.  
Ord.  
X of  
2006.

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

Short title  
and  
commence-  
ment.

1. (1) This Act may be called the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2006.

(2) It shall be deemed to have come into force on the 5th October 2006.

Amendment  
of section  
51-1A of  
Mah. XL of  
1965.

2. In section 51-1A of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (hereinafter referred to as "the principal Act"), after sub-section (2), the following sub-section shall be added, namely:—

Mah.  
XL of  
1965.

"(3) Notwithstanding anything contained in the Maharashtra Municipal Councils and *Nagar Panchayats* (President Election) Rules, 1981, the roster relating to the reservation of offices of the President in force on the date of commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2006, shall be deemed to have been amended to give effect to the provisions of the term of office of the President, specified in section 52."

Mah.  
XLVIII  
of  
2006

Amendment  
of section  
51A of  
Mah. XL of  
1965.

3. In section 51A of the principal Act,—

(a) in sub-section (6), for the words "one year" the words "two and half years" shall be substituted ;

(b) for sub-section (7), the following sub-section shall be substituted, namely:—

"(7) If there is any vacancy in the office of the Vice-President for any reason whatsoever, the vacancy shall be filled up by following the procedure prescribed in sub-sections (1) to (3) and the Vice-President so elected shall remain in office only for the remainder of the term, for which his predecessor would have remained in office but for such vacancy."

4. For section 52 of the principal Act, the following section shall be substituted, namely :—

Substitution  
of section  
52 of Mah.  
XL of 1965.

“ 52. The term of office of the President shall be of two and half years :

Term of  
office of  
President.

Provided that, nothing in this section shall apply to the Presidents who are holding the office of Presidents on the date of coming into force of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Second Amendment) Act, 2006, and their term shall be co-terminus with the term of their respective Councils.”

Mah.  
XLVIII  
of  
2006.

5. In section 55 of the principal Act,—

Amendment  
of section  
55 of Mah.  
XL of 1965.

(i) in sub-section (1), for the proviso, the following proviso shall be substituted, namely :—

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

(ii) in sub-section (6), the words “within a period of one year from the date of the special meeting” shall be deleted.

Mah.  
Ord.  
X of  
2006.

6. (1) The Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2006, is hereby repealed.

Repeal of  
Mah. Ord.  
X of 2006  
and saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act.