



# महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

वर्ष ३, अंक ४९(४)]

बुधवार, डिसेंबर २८, २०११/पौष ७, शके १९३३

[ पृष्ठे ३, किंमत : रुपये १४.००

असाधारण क्रमांक १२८

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी 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 Bombay Provincial Municipal Corporations, the City of Nagpur Corporation and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2011 (Mah. Act No. XLII of 2011), is hereby published under the authority of the Governor.

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

H. B. PATEL,  
Secretary to Government;  
Law and Judiciary Department.

## MAHARASHTRA ACT No. XLII OF 2011.

(First published, after having received the assent of the Governor, in the "Maharashtra Government Gazette", on the 28th December 2011).

An Act further to amend the Bombay Provincial Municipal Corporations Act, 1949, the City of Nagpur Corporation Act, 1948 and 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 Bombay Provincial Municipal Corporations Act, 1949, the City of Nagpur Corporation Act, 1948 and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, for the purposes hereinafter appearing ; and,

Bom.  
LIX  
of  
1949.  
C.P.  
and  
Berar  
II of  
1950.  
Mah.  
XL  
of  
1965.

महाराष्ट्र शासन राजपत्र असाधारण भाग आठ, डिसेंबर २८, २०११/पोष ७, शेके १९३३

therefore, promulgated the City of Nagpur Corporation (Amendment) Ordinance, 2011, on the 29th August 2011 and the Bombay Provincial Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2011, on the 24th October 2011 ;

Mah.  
Ord.  
XVIII  
of 2011.

Mah.  
Ord. XX  
of 2011.

AND WHEREAS it is expedient to replace the said Ordinances by a consolidated Act of the State Legislature ; it is hereby enacted in the Sixty-second Year of the Republic of India as follows :—

## CHAPTER I PRELIMINARY

Short title  
and  
commence-  
ment.

1. (1) This Act may be called the Bombay Provincial Municipal Corporations, the City of Nagpur Corporation and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2011.

(2) (i) Sections 1 and 3 of this Act shall be deemed to have come into force on the 29th August 2011..

(ii) Sections 2, 4 and 5 of this Act shall be deemed to have come into force on the 24th October 2011.

## CHAPTER II AMENDMENT TO THE BOMBAY PROVINCIAL MUNICIPAL CORPORATIONS ACT, 1949

Amendment  
of section 3  
of Bom.  
LIX of  
1949.

2. In section 3 of the Bombay Provincial Municipal Corporations Act, 1949, to sub-section (4), the following proviso shall be added, namely :—

Bom.  
LIX  
of  
1949.

“Provided that, where the population of any urban area, in respect of which a Council has been constituted under the provisions of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, as per the latest census figures has exceeded three lakhs, the State Government may, for the purpose of constituting a Corporation under this Act for such urban area, with the same boundaries, dispense with the condition of previous publication of the notification under this section.”

Mah.  
XL  
of  
1965.

## CHAPTER III

### AMENDMENT TO THE CITY OF NAGPUR CORPORATION ACT, 1948

Amendment  
of section 9  
of C.P. and  
Berar II of  
1950.

3. In section 9 of the City of Nagpur Corporation Act, 1948, in sub-section (1), in clause (a), for the words “one hundred thirty-six” the words “one hundred forty-five” shall be substituted.

C.P.  
and  
Berar  
II of  
1950.

CHAPTER IV

AMENDMENT TO THE MAHARASHTRA MUNICIPAL COUNCILS, *NAGAR PANCHAYATS*  
AND INDUSTRIAL TOWNSHIPS ACT, 1965

Mah. XL of 1965. 4. In section 6 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, to sub-section (2), the following proviso shall be added, namely :—

Amendment of section 6 of Mah. XL of 1965.

“ Provided that, the State Government may dispense with the provisions of sub-sections (3), (4) and (5) of section 3 regarding proclamation and of the proviso to sub-section (1) of this section regarding consultation, in respect of the municipal area, where the population, as per the latest census figures has exceeded three lakhs; and a Corporation under the provisions of the Bombay Provincial Municipal Corporations Act, 1949, is being constituted for such area, with the same boundaries.”

Bom. LIX of 1949.

CHAPTER V

MISCELLANEOUS

Bom. LIX of 1949. Mah. XL of 1965. 5. (1) If any difficulty arises in giving effect to the provisions of the Bombay Provincial Municipal Corporations Act, 1949 and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, as amended by this Act, the State Government may, as occasion arises, by order published in the *Official Gazette*, do anything not inconsistent with the provisions of the relevant law, which appears to it to be necessary or expedient for the purpose of removing the difficulty :

Power to remove difficulty.

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

(2) Every order under sub-section (1) shall be laid, as soon as may be, after it is issued, before each House of the State Legislature.

Mah. Ord. XVIII of 2011. Mah. Ord. XX of 2011. 6. (1) The City of Nagpur Corporation (Amendment) Ordinance, 2011 and the Bombay Provincial Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2011, are hereby repealed.

Repeal of Mah. Ord. XVIII of 2011 and Mah. Ord. XX of 2011 and saving.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the Bombay Provincial Municipal Corporations Act, 1949, the City of Nagpur Corporation Act, 1948 or, as the case may be, the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, as amended by the said Ordinances, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of the relevant Act, as amended by this Act.

Bom. LIX of 1949. C.P. and Berar II of 1950. Mah. XL of 1965.

