



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष २, अंक ३२]

शनिवार, मे ७, २०१६/वैशाख १७, शके १९३८

[पृष्ठे ३, किंमत : रुपये २७.००

असाधारण क्रमांक ५३

प्राधिकृत प्रकाशन

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 Corporation and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Fourth Amendment) Act, 2015 (Mah. Act No. XIX of 2016), is hereby published under the authority of the Governor.

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

PRAKASH H. MALI,
Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XIX 2016.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 7th May 2016).

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

III of 1888. LIX of 1949. Mah. XL of 1965. WHEREAS it is expedient further to amend the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, for the purposes hereinafter appearing ; it is hereby enacted in the Sixty-sixth Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Fourth Amendment) Act, 2015. Short title and commencement.

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(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

CHAPTER II

AMENDMENT TO THE MUMBAI MUNICIPAL CORPORATION ACT

Amendment
of section 16
of III of
1888.

2. In section 16 of the Mumbai Municipal Corporation Act, in sub-section (1), after clause (g), the following clause shall be inserted, namely :— III of 1888.

“(h) has failed to submit to the Corporation a certificate of Assistant Commissioner, certifying that,—

(i) he resides in a house owned by him and has a toilet in such house and he regularly uses such toilet ; or

(ii) he resides in a house not owned by him and has a toilet in such house and he regularly uses it or he has no such toilet but regularly uses the community or public toilet :

Provided that, no Councillor on the date of commencement of the Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Fourth Amendment) Act, 2015, shall be disqualified under this clause, if he submits such certificate, within a period of one hundred eighty days from the date of such commencement :

Mah. XIX
of 2016.

Provided further that, if the Assistant Commissioner fails to take the decision in respect of such application within a period of thirty days from the date of receipt of the application; the application shall be deemed to have been granted and the Assistant Commissioner shall issue such certificate accordingly.”.

CHAPTER III

AMENDMENT TO THE MAHARASHTRA MUNICIPAL CORPORATIONS ACT

Amendment
of section 10
of LIX of
1949.

3. In section 10 of the Maharashtra Municipal Corporations Act, in sub-section (1), after clause (j), the following clause shall be added, namely :— LIX of 1949.

“(k) he has failed to submit to the Corporation a certificate of the Ward Officer of the concerned corporation, certifying that,—

(i) resides in a house owned by him and has a toilet in such house and he regularly uses such toilet ; or

(ii) he resides in a house not owned by him and has a toilet in such house and he regularly uses it or he has no such toilet but regularly uses the community or public toilet :

Provided that, no Councillor on the date of commencement of the Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Fourth Amendment) Act, 2015, shall be disqualified under this clause, if he submits such certificate, within a period of one hundred eighty days from the date of such commencement :

Mah.
XIX of
2016.

Provided further that, if the Ward Officer fails to take the decision in respect of such application within a period of thirty days

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from the date of receipt of the application; the application shall be deemed to have been granted and the Ward Officer shall issue such certificate accordingly.”.

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CHAPTER IV

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

Mah. XL
of 1965.

4. In section 16 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, in sub-section (1), after clause (l), the following clause shall be added, namely :—

Amendment
of section 16
of Mah. XL
of 1965.

“(m) has failed to submit to the Council a certificate of the Authorised Officer of the concerned Council, certifying that,—

(i) he resides in a house owned by him and has a toilet in such house and he regularly uses such toilet ; or

(ii) he resides in a house not owned by him and has a toilet in such house and he regularly uses it or he has no such toilet but regularly uses the community or public toilet :

Mah. XIX
of 2016.

Provided that, no Councillor on the date of commencement of the Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Fourth Amendment) Act, 2015, shall be disqualified under this clause, if he submits such certificate, within a period of one hundred eighty days from the date of such commencement :

Provided further that, if the Authorised Officer fails to take the decision in respect of such application within a period of thirty days from the date of receipt of the application; the application shall be deemed to have been granted and the Authorised Officer shall issue such certificate accordingly.”.