



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ८, अंक ३७]

गुरुवार, सप्टेंबर ८, २०२२/भाद्रपद १७, शके १९४४

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असाधारण क्रमांक ७८

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 Mumbai Municipal Corporation and Maharashtra Municipal Corporations (Amendment) Act, 2022 (Mah. Act No. XLIII of 2022), is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,

I/c. Secretary (Legislation) to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XLIII OF 2022.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 8th September 2022).

An Act further to amend the Mumbai Municipal Corporation Act and the Maharashtra Municipal Corporations Act.

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 Mumbai Municipal Corporation Act and the Maharashtra Municipal Corporations Act, for the purposes hereinafter appearing; and, therefore, promulgated the Mumbai Municipal Corporation and Maharashtra Municipal Corporations (Amendment) Ordinance, 2022 on the 4th August 2022;

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

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Mumbai Municipal Corporation and Maharashtra Municipal Corporations (Amendment) Act, 2022. Short title and commencement.

(2) It shall be deemed to have come into force on the 4th August 2022.

(१)

CHAPTER II

AMENDMENT TO THE MUMBAI MUNICIPAL CORPORATION ACT.

Amendment of section 5 of III of 1888. **2.** In section 5 of the Mumbai Municipal Corporation Act, in sub-section (1), in clause (a), for the words “two hundred and thirty-six” the words “two hundred and twenty-seven” shall be substituted.

CHAPTER III

AMENDMENT TO THE MAHARASHTRA MUNICIPAL CORPORATIONS ACT.

Amendment of LIX of 1949. **3.** In section 5 of the Maharashtra Municipal Corporations Act, in sub-section (2), in clause (a), for the TABLE, the following TABLE shall be substituted, namely :—

“TABLE

	Population (1)	Number of Councillors (2)
(i)	Above 3 lakhs and upto 6 lakhs	The minimum number of elected Councillors shall be 65. For every additional population of 15,000 above 3 lakhs, there shall be one additional Councillor, so however that, the maximum number elected Councillors shall not exceed 85.
(ii)	Above 6 lakhs and upto 12 lakhs	The minimum number of elected Councillors shall be 85. For every additional population of 20,000 above 6 lakhs, there shall be one additional Councillor, so however that, the maximum number of elected Councillors shall not exceed 115.
(iii)	Above 12 lakhs and upto 24 lakhs	The minimum number of elected Councillors shall be 115. For every additional population of 40,000 above 12 lakhs, there shall be one additional Councillor, so however that, the maximum number of elected Councillors shall not exceed 151.
(iv)	Above 24 lakhs and upto 30 lakhs	The minimum number of elected Councillors shall be 151. For every additional population of 50,000 above 24 lakhs, there shall be one additional Councillor, so however that, the maximum number of elected Councillors shall be 161.
(v)	Above 30 lakhs	The minimum number of elected Councillors shall be 161. For every additional population of 1 lakh above 30 lakhs, there shall be one additional Councillor, so however that, the maximum number of elected Councillors shall be 175.”.

CHAPTER IV

MISCELLANEOUS

III of 1888. LIX of 1949. 4. Notwithstanding anything contained in the Mumbai Municipal Corporation Act and the Maharashtra Municipal Corporations Act (hereinafter, in this Chapter, referred to as “the said Acts”) and the rules, notifications or orders made thereunder, where the process,—

Annulment of process.

(a) to divide the area of Municipal Corporations, into wards and to specify the boundaries thereof is started or completed by the State Election Commissioner or the State Government, as the case may be, or

(b) of reservation of seats of Councillors in the Municipal Corporations is started or completed by the State Election Commissioner,

Mah. XLIII of 2022. before the date of commencement of the Mumbai Municipal Corporation and Maharashtra Municipal Corporations (Amendment) Act, 2022, shall be deemed to be annulled and such process shall be done afresh according to the provisions of the said Acts as amended by this Act.

5. (1) If any difficulty arises in giving effect to the provisions of the said Acts, as amended by this Act, the State Government may, by an order published in the *Official Gazette*, as the occasion arises, make such provisions not inconsistent with the provisions of the said Acts, as amended by this Act, as may appear to it to be necessary or expedient for the purposes of removing the difficulty :

Power to remove difficulties.

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

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

Mah. Ord. VII of 2022. 6. (1) The Mumbai Municipal Corporation and Maharashtra Municipal Corporations (Amendment) Ordinance, 2022, is hereby repealed.

Repeal of Mah. Ord. VII of 2022 and saving.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the said Acts, 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 said Acts, as amended by this Act.