



महाराष्ट्र शासन राजपत्र

असाधारण
प्राधिकृत प्रकाशन

बुधवार, मार्च १४, २००७/फाल्गुन २३, २००७

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 Mumbai Municipal Corporation and the Bombay Provincial Municipal Corporations (Temporary Amendment) Bill, 2007 (L. A. Bill No. XIV of 2007), introduced in the Maharashtra Legislative Assembly on the 14th March 2007, 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.

L. A. BILL No. XIV OF 2007.

A BILL

further to amend the Mumbai Municipal Corporation Act and the Bombay Provincial Municipal Corporations Act, 1949.

WHEREAS the general elections to the Brihan Mumbai, Thane, Ulhasnagar, Pune, Pimpri-Chinchwad, Solapur, Nashik, Akola, Amravati and Nagpur Municipal Corporations have been held on the 1st February 2007;

AND WHEREAS in order to enable the newly elected bodies of the said Municipal Corporations to take review of the financial position of their respective Corporations and to modify the rates of taxes which such Corporations may impose for the official year 2007-2008, it is expedient to temporarily amend the dates obtaining in the relevant law for the said purposes;

AND WHEREAS it is expedient to temporarily amend the Mumbai Municipal Corporation Act and the Bombay Provincial Municipal Corporations Act, 1949, for the purposes hereinafter appearing; it is hereby enacted in the Fifty-eighth Year of the Republic of India as follows:—

Bom.
III of
1888.
Bom.
LIX of
1949.

Short title
and
application.

1. (1) This Act may be called the Mumbai Municipal Corporation and the Bombay Provincial Municipal Corporations (Temporary Amendment) Act, 2007.

(2) It shall apply to the Municipal Corporations of which the general elections have been held on the 1st February 2007.

Temporary
amendment
of section
128 of Bom.
III of 1888.

2. During the period commencing on the date of coming into force of this Act and ending on the thirtieth day of July 2007, section 128 of the Mumbai Municipal Corporation Act shall have effect as if, in sub-section (1) thereof,—

Bom.
III of
1888.

(i) for the words “twentieth day of March” the words “thirtieth day of July 2007” had been substituted; and

(ii) for the words “in the next ensuing official year” the words “in the official year 2007-2008” had been substituted.

Temporary
amendment
of section 99
of Bom. LIX
of 1949.

3. During the period commencing on the date of coming into force of this Act and ending on the thirtieth day of July 2007, section 99 of the Bombay Provincial Municipal Corporations Act, 1949, shall have effect as if,—

Bom.
LIX of
1949.

(i) for the words “twentieth day of February” the words “thirtieth day of July 2007” had been substituted; and

(ii) for the words “in the next ensuing official year”, at both the places where they occur, the words “in the official year 2007-2008” had been substituted.

Power to
remove
difficulty.

4. If any difficulty arises in giving effect to the provisions of the Mumbai Municipal Corporation Act and the Bombay Provincial Municipal Corporations Act, 1949, as they stand amended by this Act, or any rule, by-law or instruments made thereunder, the State Government may, as occasion arises, by order published in the *Official*

Bom. III
of 1888.
Bom.
LIX of
1949.

Gazette, do anything not inconsistent with the provisions of the
Bom. III of 1888. Mumbai Municipal Corporation Act and the Bombay Provincial
Bom. LIX of 1949. Municipal Corporations Act, 1949, which appears to it to be necessary
or expedient for removing the difficulty :

Provided that, no order shall be issued after expiry of the 31st
July 2007.

STATEMENT OF OBJECTS AND REASONS

Section 128 of the Mumbai Municipal Corporation Act (Bom. III of 1888) and section 99 of the Bombay Provincial Municipal Corporations Act, 1949 (Bom. LIX of 1949) provide that the Corporation may, on or before the twentieth day of March, or as the case may be, the twentieth day of February every year, after considering the Standing Committee's proposal determine the rate of municipal taxes that may be imposed in the next ensuing official year.

2. By the Maharashtra Municipal Corporations (Temporary Provisions) Ordinance, 2007 (Mah. Ord. I of 2007), the Municipal Commissioners of the Municipal Corporations, of which general elections have been held on the 1st February 2007, have been empowered to prepare and adopt the Statement of Income and Expenditure equal to four times the average monthly income and expenditure for the official year which will be in operation till 31st July 2007 or till such earlier date on which regular budgets have been finalised by the concerned Municipal Corporation.

3. In order to enable the newly elected bodies of the said Municipal Corporations, to take review of the financial position of their respective Corporation and to modify the rates of taxes which such Corporation may impose for the official year 2007-2008, it is expedient to temporarily amend the dates obtaining in section 128 of the Mumbai Municipal Corporation Act (Bom. III of 1888) and section 99 of the Bombay Provincial Municipal Corporations Act, 1949 (Bom. LIX of 1949), for determining the rates of municipal taxes.

4. The Bill seeks to achieve the above objectives.

Mumbai,
Dated the 13th March 2007.

VILASRAO DESHMUKH,
Chief Minister.