



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

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असाधारण क्रमांक ८४

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 Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Bill, 2024 (L.A. Bill No. XXIII of 2024), introduced in the Maharashtra Legislative Assembly on the 16th December 2024, is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,

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

L. A. BILL No. XXIII OF 2024.

A BILL

*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
Mah. XL action further to amend the Maharashtra Municipal Councils, *Nagar*
of 1965. *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, 2024 on the 16th August 2024;

Mah.
Ord. V
of 2024.

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

Short title
and
commencement.

1. (1) This Act may be called the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2024.

(2) It shall be deemed to have come into force on the 16th August 2024.

Amendment
of section
341B-1 of
Mah. XL of
1965.

2. In section 341B-1 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (hereinafter referred to as “the principal Act”), sub-section (9) shall be deleted and shall be deemed to have been deleted with effect from the 1st January 2022.

Mah. XL
of 1965.

Amendment
of section
341B-2 of
Mah. XL of
1965.

3. In section 341B-2 of the principal Act, in sub-section (6), for the words “for a term of two and half years” the words “for a term of five years” shall be substituted and shall be deemed to have been substituted with effect from the 1st January 2022.

Amendment
of section
341B-4 of
Mah. XL of
1965.

4. In section 341B-4 of the principal Act,—

(1) for sub-section (1), the following sub-section shall be substituted and shall be deemed to have been substituted with effect from the 1st January 2022, namely:—

“(1) The term of office of the President shall be of five years and shall be co-terminus with the term of the *Nagar Panchayat*.”;

(2) sub-section (3) shall be deleted and shall be deemed to have been deleted with effect from the 1st January 2022.

Power to
remove
difficulties.

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

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

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

Repeal of
Mah. Ord. V
of 2024 and
saving.

6. (1) The Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2024, is hereby repealed.

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

Mah.
Ord. V
of 2024.

STATEMENT OF OBJECTS AND REASONS

The provisions regarding election to the office of President and Vice-President of *Nagar Panchayat* contained in the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (Mah. XL of 1965) have been amended by the Maharashtra Act No. XII of 2020 with a view to provide for election of the President and Vice-President by elected councillors from among themselves and for two and half years term of such officers. The said Act has been subsequently amended by the Maharashtra Act No. XLI of 2022 with a view to provide for direct election of President and five years term of President and Vice-President in respect of elections of *Nagar Panchayats* to be held after the commencement of Maharashtra Act No. XLI of 2022.

2. The Government considered it necessary to provide that the terms of indirectly elected President and Vice-President of the *Nagar Panchayats*, shall also be five years. It was, therefore, proposed to amend sections 341 B-1, 341B-2 and 341B-4 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, suitably.

3. As both Houses of the State Legislature were not in session and 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 aforesaid, the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2024 (Mah. Ord V of 2024) was promulgated by the Governor of Maharashtra on the 16th August 2024.

4. The Bill is intended to replace the said Ordinance by an Act of the State Legislature.

Nagpur,
Dated the 15th December 2024.

DEVENDRA FADNAVIS,
Chief Minister.

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill involves the following proposal for delegation of legislative power, namely:—

Clause 5(1).—Under this clause, power is taken to the State Government to issue an order in the *Official Gazette* for removing any difficulty, which may arise in giving effect to the provisions of this Act.

2. The above-mentioned proposal for delegation of legislative power is of a normal character.