



महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

गुरुवार, ऑक्टोबर ५, २००६/आश्विन १३, शके १९२८

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 Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2006 (Mah. Ord. X of 2006), 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.

[Translation in English of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2006 (Mah. Ord. X of 2006), published under the authority of the Governor.]

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 032, dated the 5th October 2006.

MAHARASHTRA ORDINANCE No. X OF 2006.

AN ORDINANCE

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

WHEREAS both Houses of the State Legislature are not in session ;

AND WHEREAS the Governor of Maharashtra is satisfied that circumstances exist which render 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 hereinafter appearing ;

Mah.
XL of
1965.

(६६१)

भाग आठ—१३६

[किंमत : रुपये ९-००]

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgate the following Ordinance, namely :—

Short title and commencement.

1. (1) This Ordinance may be called the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2006.

(2) It shall come into force at once.

Amendment of section 51-1A of Mah. XL of 1965.

2. In section 51-1A of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (hereinafter referred to as "the principal Act"), after sub-section (2), the following sub-section shall be added, namely :—

Mah. XL of 1965.

" (3) Notwithstanding anything contained in the Maharashtra Municipal Councils, *Nagar Panchayats* (President Election) Rules, 1981, the roster relating to the reservation of offices of the President in force on the date of commencement of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2006, shall be deemed to have been amended to give effect to the provisions of the term of office of the President, specified in section 52. "

Mah. Ord. X of 2006.

Amendment of section 51A of Mah. XL of 1965.

3. In section 51A of the principal Act,—

(a) in sub-section (6), for the words "one year" the words "two and half years" shall be substituted ;

(b) for sub-section (7), the following sub-section shall be substituted, namely :—

" (7) If there is any vacancy in the office of the Vice-President for any reason whatsoever, the vacancy shall be filled up by following the procedure prescribed in sub-sections (1) to (3) and the Vice-President so elected shall remain in office only for the remainder of the term, for which his predecessor would have remained in office but for such vacancy. "

Substitution of section 52 of Mah. XL of 1965.

4. For section 52 of the principal Act, the following section shall be substituted, namely :—

Term of office of President.

" 52. The term of office of the President shall be of two and half years :

Provided that, nothing in this section shall apply to the Presidents who are holding the office of Presidents on the date of coming into force of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships

Mah. Ord. X of 2006.

Amendment) Ordinance, 2006, and their term shall be co-terminus with the term of their respective Councils. ”.

5. In section 55 of the principal Act,—

(i) in sub-section (1), for the proviso, the following proviso shall be substituted, namely :—

Amendment
of section 55
of Mah. XL
of 1965.

“ Provided that, no such resolution shall be moved within a period of one year from the date of election of the President. ” ;

(ii) in sub-section (6), the words “ within a period of one year from the date of the special meeting ” shall be deleted.

STATEMENT

The term of office of the Mayors of the Municipal Corporations and the Presidents of the Zilla Parishads is two and half years from the date of their election. However, the term of office of the Presidents and Vice-Presidents of the Municipal Councils is five years and one year, respectively.

2. With a view to bring uniformity in the term of office of the Presidents of the Municipal Councils, the Mayors of Municipal Corporations and the Presidents of the Zilla Parishads, it is considered expedient to provide that the term of office of the Presidents and Vice-Presidents of a Municipal Council shall also be two and half years.

3. To ensure stability to the office of the President, it is considered expedient to provide that, the no-confidence motion shall not be brought within a period of one year from the date of election of the President and that if the resolution seeking the removal of the President is not moved or, is rejected in the special meeting called for the purpose, no fresh resolution shall be brought before the Council.

4. It is also considered expedient to provide that the existing roster relating to the reservation of office of the President shall be deemed to have been amended to give effect to two and half years term of office of the President.

5. As both Houses of the State Legislature are not in session and the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (Mah. XL of 1965), for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,
Dated the 4th October 2006.

S. M. KRISHNA,
Governor of Maharashtra.

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

DR. J. M. PHATAK,
Principal Secretary to Government.