RNI No. MAHENG /2009/35528

सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष १२, अंक ५०] शुक्रवार, ऑक्टोबर १६, २०२६/आश्विन २४, शके १९४८ [पृष्ठे ३, किंमत : रुपये २७.००

असाधारण क्रमांक १२७

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) Ordinance, 2026 (Mah. Ord. XIII of 2026), is hereby published under the authority of the Governor.

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

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

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*(*Translation in English of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2026 (Mah. Ord. XIII of 2026), published under the authority of the Governor).

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 16th October 2026.

MAHARASHTRA ORDINANCE No. XIII OF 2026.

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.

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, 2026.

(*2*) It shall come into force at once.

Amendment of section 2 of Mah. XL of 1965.

2. In section 2 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (hereinafter referred to as "the principal Act"), for clause (*7*), the following clause shall be substituted, namely :— Mah. XL of 1965.

"(*7*) "Councillor" means a person duly elected as a member of the Council, member of the *Nagar Panchayat* and the directly elected President and includes the nominated Councillor who shall not have the right,—

(*i*) to vote at any meeting of the Council or *Nagar Panchayat* and Committees of the Council or *Nagar Panchayat*; and

(*ii*) to get elected as a President of the Council or *Nagar Panchayat* and a Chairperson of any of the Committees of the Council or *Nagar Panchayat*;".

Amendment of section 17 of Mah. XL of 1965.

3. In section 17 of the principal Act, in sub-section (*2*), for clause (*d*), the following clause shall be substituted, namely :—

"(*d*) the nomination of candidates, form of nomination paper, objection to nominations and scrutiny of nominations.".

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

4. In section 341B of the principal Act, after sub-section (*4*), the following sub-section shall be added, namely :—

"(*5*) The provisions of sections 10A, 11, 12, 13 and 14 shall *mutatis mutandis*, apply to a *Nagar Panchayat.*".

STATEMENT

Article 243ZA of the Constitution of India and section 10A of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (Mah. XL of 1965) provides that, the superintendence, direction and control of the preparation of electoral rolls for, and conduct of, all elections to the Municipalities shall be vested in the State Election Commission.

2. Sub-section (*2*) of section 17 of the said Act empowers the State Government to make rules in respect of appeal against acceptance or rejection of nomination papers and rule 15 of the Maharashtra Municipal Councils and *Nagar Panchayats* Election Rules, 1966 provides that the appeal against the decision of a Returning Officer accepting or rejecting a nomination paper shall lie to the District Judge.

The State Election Commission has communicated to the State Government that due to the said provision, many appeals against the acceptance or rejection of nomination papers remain pending in the District Courts. If such appeals remain pending for longer period of time, then election cannot be conducted within stipulated time limit. Therefore, to conduct the elections of the Municipal Councils and *Nagar Panchayats* in time bound manner, the Commission has proposed to delete the provisions relating to the appeal.

The Maharashtra *Zilla Parishad* and *Panchayat Samiti* Act, 1961 (Mah. V of 1962) has been amended by the Maharashtra Act No. V of 2026, deleting the similar provision of an appeal. Also, the other municipal laws does not contain such provision of appeal.

Therefore, to bring uniformity in all the Local Self Government laws, it is considered expedient to amend section 17 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, suitably.

3. In order to bring clarity in the definition of Councillor and process of their election, it is also considered necessary to amend clause (*7*) of section 2 and section 341B of the said Act, as per recommendations of the Commission.

4. 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, for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,
Dated the 16th October 2026.

JISHNU DEV VARMA,
Governor of Maharashtra.

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

DR. K. H. GOVINDA RAJ,
Additional Chief Secretary to Government.

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