



सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ७, अंक २०(२)]

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असाधारण क्रमांक ४४

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 Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2021 (Mah. Ord. X of 2021), 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.

[Translation in English of the Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2021 (Mah. Ord. X of 2021), published under the authority of the Governor.]

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai-400 032, dated the 2nd November 2021.

MAHARASHTRA ORDINANCE No. X OF 2021.

AN ORDINANCE

further to amend the Maharashtra Municipal Corporations Act and 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 Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, for the purposes hereinafter appearing ;

LIX of
1949.
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 :---

CHAPTER I

PRELIMINARY

Short title and
commencement.

1. (1) This Ordinance may be called the Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2021.

(2) It shall come into force at once.

CHAPTER II

AMENDMENT TO THE MAHARASHTRA MUNICIPAL CORPORATIONS ACT.

Amendment of
section 5 of LIX
of 1949.

2. 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		Number of Elected Councillors
(1)		(2)
(i)	Above 3 lakhs and upto 6 lakhs.	The minimum number of elected Councillors shall be 76. For every additional population of 15,000 above 3 lakhs, one additional Councillor shall be provided, so however that the maximum number elected Councillors shall not exceed 96.
(ii)	Above 6 lakhs and upto 12 lakhs.	The minimum number of elected Councillors shall be 96. For every additional population of 20,000 above 6 lakhs, one additional Councillor shall be provided, so however that, the maximum number of elected Councillors shall not exceed 126.

Population	Number of Elected Councillors
(1)	(2)
(iii) Above 12 lakhs and upto 24 lakhs.	The minimum number of elected Councillors shall be 126. For every additional population of 40,000 above 12 lakhs, one additional Councillor shall be provided, so however that, the maximum number of elected Councillors shall not exceed 156.
(iv) Above 24 lakhs and upto 30 lakhs.	The minimum number of elected Councillors shall be 156. For every additional population of 50,000 above 24 lakhs, one additional Councillor shall be provided, so however that, the maximum number of elected Councillors shall be 168.
(v) Above 30 lakhs.	The minimum number of elected Councillors shall be 168. For every additional population of 1 lakhs above 30 lakhs, one additional Councillor shall be provided, so however that, the maximum number of elected Councillors shall be 185.”.

CHAPTER III

AMENDMENT TO THE MAHARASHTRA MUNICIPAL COUNCILS, *NAGAR PANCHAYATS* AND INDUSTRIAL TOWNSHIPS ACT, 1965.

Mah. XL
1965.

4. In section 9 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, in sub-section (2), in clause (a), for the TABLE, the following TABLE shall be substituted, namely :—

Amendment of section 9 of Mah. XL of 1965.

“TABLE

Class of Municipal Area		Number of Elected Councillors
(1)		(2)
(i)	“A” Class	The minimum number of elected Councillors shall be 40, and for every 8,000 of the population above 1,00,000, there shall be one additional elected Councillor, so however that, the total number of elected Councillors shall not exceed 75;
(ii)	“B” Class	The minimum number of elected Councillors shall be 25, and for every 5,000 of the population above 40,000 there shall be one additional elected Councillor, so however that, the total number of elected Councillors shall not exceed 37;
(iii)	“C” Class	The minimum number of elected Councillors shall be 20, and for every 3,000 of the population above 25,000 there shall be one additional elected Councillor, so however that, the total number of elected Councillors shall not exceed 25.”.

STATEMENT

Section 5 of the Maharashtra Municipal Corporations Act (LIX of 1949) and section 9 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (Mah. XL of 1965) provides for constitution of the Corporations and Councils consisting of elected as well as nominated Councillors. Clause (a) of sub-section (2) of the section 5 of the said Act of 1949 and clause (a) of sub-section (2) of section 9 of the said Act of 1965, provides for the proportion for specifying the number of Councillors to be elected on the basis of population of the respective Corporations and municipal areas.

2. As per the existing provisions, in Corporations, the minimum number of elected Councillors is 65 and maximum number is 175 and in municipal areas, minimum number of elected Councillors is 17 and maximum number is 65.

3. The number of elected members of Corporations and municipal areas are determined by the population figures as per census 2011. Due to Covid-19, the latest figures of 2021 census are not available. However, there is huge growth in urban population and the speed of urbanization is also growing up.

Considering these aspects, to ensure that the majority of the population is being represented in the Corporations and municipal areas, it is decided to revise the minimum and accordingly the maximum number of elected Councillors in the Corporations and municipal areas. It is, therefore, proposed to amend said section 5 of the Maharashtra Municipal Corporations Act and said section 9 of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, suitably.

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 Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,
Dated the 1st November 2021.

BHAGAT SINGH KOSHYARI,
Governor of Maharashtra.

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

MAHESH PATHAK,
Principal Secretary to Government.