

## **Maharashtra (Urban Areas) Protection And Preservation Of Trees (Amendment) Act, 2015**

**15 OF 2015**

**[09 April 2015]**

### CONTENTS

1. Short title
2. Amendment of section 2 of Mah. XLIV of 1975
3. Amendment of section 3 of Mah. XLIV of 1975

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An Act further to amend the Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975.

WHEREAS it is expedient further to amend the Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975, for the purposes hereinafter appearing ; it is hereby enacted in the Sixty-sixth Year of the Republic of India as follows :-

### **1. Short title :-**

This Act may be called the Maharashtra (Urban Areas) Protection and Preservation of Trees (Amendment) Act, 2015.

### **2. Amendment of section 2 of Mah. XLIV of 1975 :-**

In section 2 of the Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975 (hereinafter referred to as " the principal Act "), in clause (f), for the portion beginning with the words " the Bombay Municipal Corporation Act " and ending with the words " Municipalities Act, 1965 ", the following shall be substituted, namely :-

" the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act, or a municipal area within the meaning of clause

(24) of section 2 of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 ".

**3. Amendment of section 3 of Mah. XLIV of 1975 :-**

In section 3 of the principal Act, after sub-section (4), the following sub-section shall be added, namely :-

" (5) Notwithstanding anything contained in sub-sections (1) and (2), where, in respect of the area of a Municipal Corporation or, as the case may be, a Municipal Council, the Tree Authority is not constituted or is not able to function for any reason whatsoever, the Municipal Commissioner of such Municipal Corporation or, the Chief Officer of such Municipal Council, shall act as the Tree Authority and shall exercise all the powers and discharge all the duties of a Tree Authority in such area, till such Authority is duly constituted or is able to function :

Provided that, every decision taken by the Municipal Commissioner or the Chief Officer under this section, shall be placed before the general body of such Municipal Corporation or, as the case may be, the Municipal Council, in its immediately next meeting held after such decision. ".