

**Maharashtra Municipal Corporation And Municipal Councils  
(Third Amendment) Act, 2007**

**12 of 2008**

**[02 May 2008]**

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**Maharashtra Municipal Corporation And Municipal Councils  
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PREAMBLE

An Act further to amend the Mumbai Municipal Corporation Act, the Bombay Provincial Municipal Corporations Act, 1949, the City of Nagpur Corporation Act, 1948 and the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965.

WHEREAS, it is expedient further to amend the Mumbai Municipal Corporation Act (Bom. III of 1888), the Bombay Provincial Municipal Corporations Act, 1949 (Bom. LIX of 1949), the City of Nagpur Corporation Act, 1948 (C.P. and Berar II of 1950) and the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 (Mah. XL of 1965), for the purposes hereinafter appearing ; it is hereby enacted in the Fifty-eighth Year of the Republic of India as follows :--

**1. Short Title :-**

This Act may be called the Maharashtra Municipal Corporation and Municipal Councils (Third Amendment) Act, 2007.

**2. Amendment Of Section 16 Of Bom. Iii Of 1888 :-**

In section 16 of the Mumbai Municipal Corporation Act(Bom. III of 1888), after sub-section (1D), the following sub-sections shall be inserted, namely :--

"(1E) If the State Election Commission is satisfied that a person,--

(a) has failed to lodge an account of election expenses within the time and in the manner required by the State Election Commission, and

(b) has no good reason or justification for such failure, the State Election Commission may, by an order published in the Official Gazette, declare him to be disqualified and such person shall be disqualified for being a Councillor or for contesting an election for being a Councillor for a period of three years from the date of the order.

(1F) The State Election Commission may, for reasons to be recorded, remove any disqualification under sub-section (1E) or reduce the period of any such disqualification."

### **3. Amendment Of Section 10 Of Bom. Lix Of 1949 :-**

In section 10 of the Bombay Provincial Municipal Corporations Act, 1949(Bom. LIX of 1949), after sub-section (1D), the following sub-sections shall be inserted, namely :--

"(1E) If the State Election Commission is satisfied that a person,--

(a) has failed to lodge an account of election expenses within the time and in the manner required by the State Election Commission, and

(b) has no good reason or justification for such failure, the State Election Commission may, by order published in the Official Gazette, declare him to be disqualified and such person shall be disqualified for being a Councillor or for contesting an election for being a Councillor for a period of three years from the date of the order.

(1F) The State Election Commission may, for reasons to be recorded, remove any disqualification under sub-section (1E) or reduce the period of any such disqualification."

### **4. Amendment Of Section 15 Of C.P. And Berar Ii Of 1950 :-**

In section 15 of the City of Nagpur Corporation Act, 1948(C.P. and Berar II of 1950), after sub-section (3), the following sub-section shall be added, namely :--

"(4) (a) If the State Election Commission is satisfied that a person,-

(i) has failed to lodge an account of election expenses within the time and in the manner required by the State Election Commission, and

(ii) has no good reason or justification for such failure, the State Election Commission may, by an order published in the Official Gazette, declare him to be disqualified and such person shall be disqualified for being a Councillor or for contesting an election for being a Councillor for a period of three years from the date of the order.

(b) The State Election Commission may, for reasons to be recorded, remove any disqualification under this sub-section or reduce the period of any such disqualification."

## **5. Amendment Of Section 16 Of Mah. XI Of 1965 :-**

In section 16 of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965(Mah. XL of 1965), after sub-section (1C), the following sub-sections shall be inserted, namely :--

"(1D) If the State Election Commission is satisfied that a person,--

(a) has failed to lodge an account of election expenses within the time and in the manner required by the State Election Commission, and

(b) has no good reason or justification for such failure, the State Election Commission may, by an order published in the Official Gazette, declare him to be disqualified and such person shall be disqualified for being a Councillor or for contesting an election for being a Councillor for a period of three years from the date of the order.

(1E) The State Election Commission may, for reasons to be recorded, remove any disqualification under sub-section (1D) or reduce the period of any such disqualification."