

Maharashtra Municipal Corporations And Municipal Councils (Amendment) Act, 2007

15 of 2007

[04 May 2007]

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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 And Commencement :-

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

(2) It shall be deemed to have come into force on the 27th October

2006.

2. Amendment of section 5B of Bom. III of 1888 :-

In section 5B of the Mumbai Municipal Corporation Act,-

- (i) in the first proviso, in clause (ii), for the words "three months" the words "four months" shall be substituted;
- (ii) in the second proviso, for the words "three months" the words "four months" shall be substituted.

3. Amendment of section 5B of Bom. LIX of 1949 :-

In section 5B of the Bombay Provincial Municipal Corporations Act, 1949 (Bom. LIX of 1949),-

- (i) in the first proviso, in clause (ii), for the words "three months" the words "four months" shall be substituted;
- (ii) in the second proviso, for the words "three months" the words "four months" shall be substituted.

4. Amendment of section 9AA of C.P. and Berar II of 1950 :-

In section 9AA of the City of Nagpur Corporation Act, 1948 (C.P. and Berar II of 1950),-

- (i) in the first proviso, in clause (ii), for the words "three months" the words "four months" shall be substituted;
- (ii) in the second proviso, for the words "three months" the words "four months" shall be substituted.

5. Amendment of section 9A of Mah. XL of 1965 :-

In section 9A of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 (Mah. XL of 1965),-

- (i) in the first proviso, in clause (ii), for the words "three months" the words "four months" shall be substituted;
- (ii) in the second proviso, for the words "three months" the words "four months" shall be substituted.

6. Validation and savings :-

Notwithstanding anything contained in the second proviso to section 9A of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 (Mah. XL of 1965), any Councillor to reserved seat and who has not received the validity certificate from the Scrutiny Committee within a period of three

months from the date of his election shall continue to hold the office of the Councillor for a further period of one month, as if, the period of three months for submission of the Validity Certificate has been extended by a further period of one month; and any action taken by such Councillor during the period commencing from the expiry of three months from the date of his election and ending on the date of publication of the Maharashtra Municipal Corporations and Municipal Councils (Amendment) Act, 2007 (Mah. XV of 2007), shall be deemed to have been validly taken and shall not be challenged in any court of law only on the ground that during the period of three months from the date of his election he had not submitted the validity certificate.