

**Maharashtra Municipal Corporations And Municipal Councils
(Second Amendment) Act, 2011**

20 of 2011

[21 April 2011]

CONTENTS

CHAPTER 1 :- PRELIMINARY

1. Short Title

**CHAPTER 2 :-AMENDMENTSTO THE MUMBAI MUNICIPAL
CORPORATION ACT**

2. Amendment of section 5A of Bom. III of 1888

**CHAPTER 3 :-AMENDMENTSTO THE BOMBAY PROVINCIAL
MUNICIPAL CORPORATIONS ACT, 1949**

3. Amendment of section 5A of Bom. LIX of 1949

**CHAPTER 4 :-AMENDMENTSTO THE CITY OF NAGPUR
CORPORATION ACT, 1948**

4. Amendment of section 9A of C.P. and Berar II of 1950

**CHAPTER 5 :-AMENDMENTSTO THE MAHARASHTRA MUNICIPAL
COUNCILS, NAGAR PANCHAYATS AND INDUSTRIAL TOWNSHIPS
ACT, 1965**

5. Amendment of section 9 of Mah. XL of 1965

CHAPTER 6 :- MISCELLANEOUS

6. Power to remove difficulties

**Maharashtra Municipal Corporations 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 (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 Sixty-second Year of the Republic of India as follows:--

CHAPTER 1 PRELIMINARY

1. Short Title :-

This Act may be called the Maharashtra Municipal Corporations and Municipal Councils (Second Amendment) Act, 2011.

CHAPTER 2 AMENDMENTS TO THE MUMBAI MUNICIPAL CORPORATION ACT

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

In section 5A of the Mumbai Municipal Corporation Act (Bom. III of 1888),--

(1) in sub-section (2), in clause (b),--

(a) for the words "one-third" the words "one-half" shall be substituted;

(b) in the proviso, the words "and where only two seats are reserved for the Scheduled Castes, one of the two seats shall be reserved for women belonging to Scheduled Castes" shall be deleted;

(2) in sub-section (3), in clause (b),--

(a) for the words "one-third" the words "one-half" shall be substituted.

(b) in the proviso, the words "and where only two seats are reserved for the Scheduled Tribes, one of the two seats shall be reserved for women belonging to Scheduled Tribes" shall be deleted;

(3) in sub-section (4), in clause (b), for the words "one-third" the words "one-half" shall be substituted.

(4) in sub-section (5), for the words "one-third" the words "one-half" shall be substituted.

CHAPTER 3 AMENDMENTS TO THE BOMBAY PROVINCIAL MUNICIPAL CORPORATIONS ACT, 1949

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

In section 5A of the Bombay Provincial Municipal Corporations Act, 1949 (Bom. LIX of 1949), in sub-section (1),--

(1) in clause (b),--

(a) in the first proviso, for the words "one-third" the words "one-half" shall be substituted;

(b) in the second proviso, the words "and where only two seats are reserved for the Scheduled Castes, or as the case may be, the Scheduled Tribes, one of the two seats shall be reserved for women belonging to Scheduled Castes, or as the case may be, the Scheduled Tribes" shall be deleted;

(2) in clause (c), in the proviso, for the words "one-third" the words "one-half" shall be substituted;

(3) in clause (d), for the words "one-third" the words "one-half" shall be substituted.

CHAPTER 4 AMENDMENTS TO THE CITY OF NAGPUR CORPORATION ACT, 1948

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

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

(1) in sub-section (2),--

(a) in the first proviso, for the words "one-third" the words "one-half" shall be substituted;

(b) in the second proviso, the words "and where only two seats are reserved for the Scheduled Castes, or as the case may be, the Scheduled Tribes, one of the two seats shall be reserved for women belonging to Scheduled Castes or, as the case may be, the Scheduled Tribes" shall be deleted;

(2) in sub-section (3), in the proviso, for the words "one-third" the words "one-half" shall be substituted;

(3) in sub-section (4), for the words "one-third" the words "one-half" shall be substituted.

CHAPTER 5 AMENDMENTS TO THE MAHARASHTRA MUNICIPAL COUNCILS, NAGAR PANCHAYATS AND INDUSTRIAL TOWNSHIPS ACT, 1965

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

In section 9 of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 (Mah. XL of 1965), in sub-section (2),--

(1) in clause (b), for the words "one-third" the words "one-half" shall be substituted;

(2) in clause (c), in the proviso,--

(a) for the words "one-third" the words "one-half" shall be substituted;

(b) the words "and where only two seats are reserved for the Scheduled Castes, or as the case may be, the Scheduled Tribes, one of the two seats shall be reserved for women belonging to Scheduled Castes or, as the case may be, to the Scheduled Tribes" shall be deleted;

(3) in clause (d), in the proviso, for the words "one-third" the words "one-half" shall be substituted.

CHAPTER 6 MISCELLANEOUS

6. Power to remove difficulties :-

(1) If any difficulty arises in giving effect to the provisions of 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) or the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 (Mah. XL of 1965), as amended by this Act or by reason of anything contained therein, or in giving effect to any of those Acts in respect of the matters contained in this Act, the State Government may, as occasion arises, by an order published in the Official Gazette, do anything not inconsistent with the provisions of this Act, which appears to it to be necessary or expedient for the purpose of removing such difficulty:

Provided that, no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before each House of State Legislature.