

**Maharashtra Municipal Corporations And The Maharashtra
Municipal Councils, Nagar Panchayats And Industrial
Townships (Second Amendment) Act, 2015**

13 OF 2015

[07 April 2015]

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**Maharashtra Municipal Corporations And The Maharashtra
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An Act further to amend the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965.

WHEREAS it is expedient further to amend the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965, for the purposes hereinafter appearing; it is hereby enacted in the Sixtysixth Year of the Republic of India as follows :-

1. Short title :-

This Act may be called the Maharashtra Municipal Corporations and the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships (Second Amendment) Act, 2015.

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

To section 5B of the Mumbai Municipal Corporation Act (hereinafter referred to as "the Mumbai Corporation Act"), the following provisos shall be added, namely:-

"Provided that, for the General or bye-elections for which the last date of filing of nomination falls on or before the 31st December 2017, in accordance with the election programme declared by the State Election Commission, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing the nomination papers but who has not received the validity certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,-

- (i) a true copy of the application preferred by him to the Scrutiny Committee for issuance of the validity certificate or any other proof of having made such application to the Scrutiny Committee; and
- (ii) an undertaking that he shall submit, within a period of six months from the date of his election, the validity certificate issued by the Scrutiny Committee:

Provided further that, if the person fails to produce the validity certificate within a period of six months from the date of his election, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being a Councillor."

3. Amendment of section 37 of III of 1888 :-

To sub-section (2A) of section 37 of the Mumbai Corporation Act, the following provisos shall be added, namely :-

"Provided that, for the election for the office of the Mayor for which the last date of filing of nomination falls on or before the 31st December 2017, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing the nomination papers but who has not received the validity certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,-

- (i) a true copy of the application preferred by him to the Scrutiny Committee for issuance of the validity certificate or any other proof of having made such application to the Scrutiny Committee; and
- (ii) an undertaking that he shall submit, within a period of six months from the date of his election, the validity certificate issued by the Scrutiny Committee:

Provided further that, if the person fails to produce the validity

certificate within a period of six months from the date of his election, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being the Mayor."

4. Amendment of section 5B of LIX of 1949 :-

To section 5B of the Maharashtra Municipal Corporations Act (hereinafter referred to as "the Maharashtra Municipal Corporations Act"), the following provisos shall be added, namely :-

" Provided that, for the General or bye-elections for which the last date of filing of nomination falls on or before the 31st December 2017, in accordance with the election programme declared by the State Election Commission, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing the nomination papers but who has not received the validity certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,-
(i) a true copy of the application preferred by him to the Scrutiny Committee for issuance of the validity certificate or any other proof of having made such application to the Scrutiny Committee; and
(ii) an undertaking that he shall submit, within a period of six months from the date of his election, the validity certificate issued by the Scrutiny Committee:

Provided further that, if the person fails to produce the validity certificate within a period of six months from the date of his election, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being a Councillor."

5. Amendment of section 19 of LIX of 1949 :-

To sub-section (1B) of section 19 of the Maharashtra Municipal Corporations Act, the following provisos shall be added, namely :-

"Provided that, for the election for the office of Mayor for which the last date of filing of nomination falls on or before the 31st December 2017, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing the nomination papers but who has not received the validity certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,-

(i) a true copy of the application preferred by him to the Scrutiny Committee for issuance of the validity certificate or any other proof of having made such application to the Scrutiny Committee; and
(ii) an undertaking that he shall submit, within a period of six

months from the date of his election, the validity certificate issued by the Scrutiny Committee:

Provided further that, if the person fails to produce the validity certificate within a period of six months from the date of his election, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being the Mayor."

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

In section 9A of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 (hereinafter referred to as "the Municipal Councils Act"), in the first proviso, for the words, figures and letters "before the 31st December 2013" the words, figures and letters "before the 31st December 2017" shall be substituted.

7. Amendment of section 51-1B of Mah. XL of 1965 :-

In section 51-1B of the Municipal Councils Act, in the first proviso, for the words, figures and letters "before the 31st December 2013" the words, figures and letters "before the 31st December 2017" shall be substituted.