

**Maharashtra Municipal Councils, Nagar Panchayats And  
Industrial Townships (Second Amendment) Act, 2006**

**48 of 2006**

**[29 December 2006]**

CONTENTS

1. Short Title And Commencement
2. Amendment of section 51-1A of Mah. XL of 1965
3. Amendment of section 51A of Mah. XL of 1965
4. Substitution of section 52 of Mah. XL of 1965
5. Amendment of section 55 of Mah. XL of 1965
6. Repeal of Mah. Ord. X of 2006 and saving

**Maharashtra Municipal Councils, Nagar Panchayats And  
Industrial Townships (Second Amendment) Act, 2006**

**48 of 2006**

**[29 December 2006]**

PREAMBLE

An Act further to amend the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965.

WHEREAS both Houses of the State Legislature were not in session;  
AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 (Mah. XL of 1965), for the purposes hereinafter appearing; and, therefore, promulgated the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships (Amendment) Ordinance, 2006 (Mah. Ord. X of 2006), on the 5th October 2006;

AND WHEREAS, it is expedient to replace the said Ordinance by an Act of the State Legislature; it is hereby enacted in the Fifty-seventh Year of the Republic of India as follows:-

**1. Short Title And Commencement :-**

(1) This Act may be called the Maharashtra Municipal Councils,

Nagar Panchayats and Industrial Townships (Second Amendment) Act, 2006.

(2) It shall be deemed to have come into force on the 5th October 2006.

## **2. Amendment of section 51-1A of Mah. XL of 1965 :-**

In section 51-1A of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 (Mah. XL of 1965) (hereinafter referred to as "the principal Act"), after sub-section (2), the following sub-section shall be added, namely:-

"(3) Notwithstanding anything contained in the Maharashtra Municipal Councils and Nagar Panchayats (President Election) Rules, 1981, the roster relating to the reservation of offices of the President in force on the date of commencement of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships (Second Amendment) Act, 2006 (Mah. XLVIII of 2006), shall be deemed to have been amended to give effect to the provisions of the term of office of the President, specified in section 52."

## **3. Amendment of section 51A of Mah. XL of 1965 :-**

In section 51-A of the principal Act,-

(a) in sub-section (6), for the words "one year" the words "two and half years" shall be substituted;

(b) for sub-section (7), the following sub-section shall be substituted, namely:-

"(7) If there is any vacancy in the office of the Vice-President for any reason whatsoever, the vacancy, shall be filled up by following the procedure prescribed in sub-sections (1) to (3) and the Vice-President so elected shall remain in office only for the remainder of the term, for which his predecessor would have remained in office but for such vacancy."

## **4. Substitution of section 52 of Mah. XL of 1965 :-**

For section 52 of the principal Act, the following section shall be substituted, namely:-

"52. Term of the office of President :-The term of the President shall be of two and half years:

Provided that, nothing in this section shall apply to the Presidents who are holding the office of Presidents on the date of coming into

force of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships (Second Amendment) Act, 2006, and their term shall be co-terminus with the term of their respective Councils."

**5. Amendment of section 55 of Mah. XL of 1965 :-**

In section 55 of the principal Act,-

(i) in sub-section (1), for the proviso, the following proviso shall be substituted, namely:-

"Provided that no such resolution shall be moved within a period of one year from the date of election of the President."

(ii) in sub-section (6), the words "within a period of one year from the date of the special meeting" shall be deleted.

**6. Repeal of Mah. Ord. X of 2006 and saving :-**

(1) The Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships (Amendment) Ordinance, 2006 (Mah. Ord. X of 2006), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act.