

L. A. BILL No. IX OF 2024.

A BILL

further to amend the Maharashtra Municipal Corporations Act.

LIX of
1949. 5 WHEREAS it is expedient further to amend the Maharashtra Municipal Corporations Act, for the purposes hereinafter appearing; it is hereby enacted in the Seventy-fifth Year of the Republic of India, as follows :—

1. This Act may be called the Maharashtra Municipal Corporations Short title. (Amendment) Act, 2024.

Amendment
of section 5 of
LIX of 1949.

2. In section 5 of the Maharashtra Municipal Corporations Act, in sub-section (3), for the first proviso, the following proviso shall be substituted, namely :—

LIX of
1949.

“Provided that, after the commencement of the Maharashtra Municipal Corporations (Amendment) Act, 2024, in respect of general elections to the Corporations, each of the wards shall elect as far as possible four Councillors, but not less than three and not more than five Councillors, and each voter shall, notwithstanding anything contained in this Act, be entitled to cast the same number of votes, as the number of Councillors to be elected in his ward :” .

Mah.
5 of 2024.

STATEMENT OF OBJECTS AND REASONS

First proviso to sub-section (3) of section 5 of the Maharashtra Municipal Corporations Act (LIX of 1949) provides that, in respect of the general elections to the Corporations, each of the wards shall elect as far as possible three Councillors, but not less than two and not more than four Councillors, and each voter shall, notwithstanding anything contained in this Act, be entitled to cast the same number of votes, as the number of Councillors to be elected in his ward.

2. After taking the review of the present situation and with a view to ensure effective implementation of services and development schemes in the wards, it is necessary to provide that, each of the wards of the Municipal Corporations shall elect as far as possible four Councillors, but not less than three Councillors and not more than five Councillors. For that purpose, it is proposed to substitute first proviso to sub-section (3) of section 5 of the said Act.

3. This Bill seeks to achieve the above objectives.

Mumbai,
Dated the 29th February, 2024.

EKNATH SHINDE,
Chief Minister.

ANNEXURE TO THE L.A. BILL No. IX OF 2024 - THE MAHARASHTRA
MUNICIPAL CORPORATIONS (AMENDMENT) BILL 2024.

(*Extracts from the Maharashtra Municipal Corporations Act*)

(**Mah. LIX of 1949**)

1. to 4.	*	*	*	*
5. (1) and (2)	*	*	*	*

Constitution of
Corporation.

(3) The State Election Commissioner shall, from time to time, by notification in the *Official Gazette*, specify for each City the number and boundaries of the wards into which such City shall be divided for the purpose of the ward election of councillor so that as far as practicable, all wards shall be compact areas and the number of persons in each ward according to the latest census figures shall approximate! be the same, each of the wards shall elect only one Councillor :

Explanation.— For the purposes of this Act, the expression “latest census figures” obtaining in sub-section (3), shall mean.—

(a) the figures of the latest census finally published and pending publication of final figures of the latest census shall mean the provisional figures published of such census ; and

(b) where the relevant final or provisional figures of the latest census are not available, the final relevant figures of the census immediately preceding the latest census :

“Provided that, after the commencement of the Maharashtra Municipal Corporation (Amendment) Act, 2021, in respect of the general elections to the Corporations, each of the ward shall elect as far as possible three Councillors, but not less than two and not more than four Councillors, and each voter shall, notwithstanding anything contained in this Act, be entitled to cast the same number of votes, as the number of Councillors to be elected in his ward :

Provided further that, no notification issued under sub-section (3), whether before or after the commencement of the Maharashtra Municipal Corporations, Municipal Councils, Nagar Panchayats and Industrial Townships (Third Amendment) Act, 1995, shall have effect except for the general election held next after the date thereof and for subsequent elections :

Provided also that before any notification is issued under sub-section (3), a draft thereof shall be published in the *Official Gazette*, and in such other manner as in the opinion of the State Election Commissioner is best calculated to bring the information to the notice of all persons likely to be affected thereby, together, with a notice specifying the date on or before which any objections or suggestions will be received, and the date after which the draft will be taken into consideration.

(4) and (5)	*	*	*	*
5A. and 5B.	*	*	*	*
6. to 493.	*	*	*	*

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[L. A. BILL No. IX OF 2024.]

**[A Bill further to amend the Maharashtra
Municipal Corporations Act.]**

**[SHRI EKNATH SHINDE,
Chief Minister.]**

**JITENDRA BHOLE,
Secretary (1) (I/C),
Maharashtra Legislative Assembly.**