



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग आठ

वर्ष ३, अंक २]

मंगळवार, जानेवारी ३, २०१७/पौष १३, शके १९३८

[ पृष्ठे ४, किंमत : रुपये २७.००

असाधारण क्रमांक २

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि  
विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Mumbai Municipal Corporation (Amendment) Ordinance, 2017 (Mah. Ord. I of 2017), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

P. H. MALI,  
Principal Secretary to Government,  
Law and Judiciary Department.

(Translation in English of the Mumbai Municipal Corporation (Amendment) Ordinance, 2017 (Mah. Ord. I of 2017), Published under the authority of the Governor).

### URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,  
Mumbai 400 032, dated the 3rd January 2017.

### MAHARASHTRA ORDINANCE No. I OF 2017.

#### AN ORDINANCE

*further to amend the Mumbai Municipal Corporation Act.*

WHEREAS both Houses of the State Legislature are not in session ;

AND WHEREAS the Governor of Maharashtra is satisfied that  
III of circumstances exist which render it necessary for him to take immediate  
1888. action further to amend the Mumbai Municipal Corporation Act, for the  
purposes hereinafter appearing ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgate the following Ordinance, namely :—

Short title  
and commen-  
cement.

1. (1) This Ordinance may be called the Mumbai Municipal Corporation (Amendment) Ordinance, 2017.

(2) It shall come into force at once.

Amendment  
of section 92  
of III of  
1888.

2. In section 92 of the Mumbai Municipal Corporation Act, after clause III of 1888. (dd) the following clause shall be inserted, namely :—

“(dd-1) notwithstanding anything contained in this section, the Commissioner may, with the sanction of the Corporation and with the approval of the State Government, grant a lease of immovable property belonging to the Corporation, namely CTS/FP No. 501, 502 and 1495, Mahim Division, alongwith structures situated thereon, for the purpose of erection of a memorial of late Shri Bala Saheb Thackeray, to the society namely, the Bala Saheb Thackeray Rashtriya Smarak, a society registered under the Societies Registration Act, 1860, at such rent, which 21 of 1860. may be less than the market value of the premium, rent or other consideration, for the grant of such lease, and subject to the terms and conditions as may be decided by the State Government ;”.

STATEMENT

As per the existing provisions of section 92 (cc), the consideration for which any immovable property or any right belonging to the corporation may be sold, leased or otherwise transferred, shall not be less than market value of such premium, rent or other consideration. However, as per the provisions of section 92(dd), notwithstanding anything contained in that section, and with the approval of the State Government, the Commissioner may grant a lease of immovable property belonging the Corporation to a Co-operative Housing Society formed exclusively by the officers and servants of the Corporation, or to a public trust exclusively for medical and educational purposes registered under the Maharashtra Public Trusts Act, or to a society registered under the Societies Registration Act, 1860, or the Maharashtra Co-operative Societies Act, 1960, a public trust registered under the Maharashtra Public Trusts Act, or a company registered under the Companies Act, 1956 or any person for the purposes of provision of public latrines, urinals and similar conveniences or construction of a plant for processing excrementitious and other filthy matters of garbages or to a person who is dishoused as a result of the implementation of any Development Scheme of the Corporation or to a Co-operative Housing Society formed exclusively by the person who are dishoused, as a result of the implementation of any Development Scheme of the Corporation, at such rent, which may be less than the market value of the premium, rent or other consideration, for the grant of such lease, and subject to such conditions, as may be provided by the bye-laws made under section 461.

2. Considering the special importance, public interest achieved and sentiments of the people, it is considered expedient that there is a memorial erected in the memory of late Shri. Bala Saheb Thackeray. It is, therefore, expedient to provide that the Commissioner may, with the sanction of the Corporation and with the approval of the State Government, grant a lease of immovable property belonging to the Corporation *viz.* CTS/FP No. 501, 502 and 1495, Mahim Division, along with structures thereon, for the memorial of the Bala Saheb Thakeray Rashtriya Smarak, a society registered under the Societies Registration Act, 1860 (21 of 1860), at such rent, which may be less than the market value of the premium, rent or other consideration, for the grant of such lease, and subject to the terms and conditions as may be decided by the State Government.

However, the present provisions of the Act do not permit such grant of such lease of property. It is, therefore, considered expedient to suitably amend the said section 92 for the said purpose.

3. As both Houses of the State Legislature are not in session and the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Mumbai Municipal Corporation Act (III of 1888), for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,

Dated the 3rd January 2017.

CH. VIDYASAGAR RAO,

Governor of Maharashtra.

By order and in the name of the Governor of Maharashtra,

MANISHA PATANKAR-MHAISKAR,

Principal Secretary to Government.