



महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

वर्ष ८, अंक १६]

सोमवार, मार्च २१, २०२२/फाल्गुन ३०, शके १९४३

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असाधारण क्रमांक ३६

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, Maharashtra Education and Employment Gaurantee (Cess) and Maharashtra (Urban Areas) protection and Preservation of Trees (Amendment) Act, 2022 (Mah. Act No. XXV of 2022), is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,

I/c. Secretary (Legislation) to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XXV OF 2022.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 21st March 2022).

An Act further to amend the Mumbai Municipal Corporation Act, the Maharashtra Education and Employment Guarantee (Cess) Act, 1962 and the Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975.

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
III of action further to amend the Mumbai Municipal Corporation Act, the
1888.

(१)

Maharashtra Education and Employment Guarantee (Cess) Act, 1962 and the Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975, for the purposes hereinafter appearing ; and, therefore, promulgated the Mumbai Municipal Corporation, Maharashtra Education and Employment Guarantee (Cess) and Maharashtra (Urban Areas) Protection and Preservation of Trees (Amendment) Ordinance, 2022 on the 2nd February 2022 ;

Mah. XXVII of 1962.
Mah. XLIV of 1975.
Mah. Ord. I of 2022.

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

CHAPTER I

PRELIMINARY.

Short title and commencement.

1. (1) This Act may be called the Mumbai Municipal Corporation, Maharashtra Education and Employment Guarantee (Cess) and Maharashtra (Urban Areas) Protection and Preservation of Trees (Amendment) Act, 2022.

(2) It shall be deemed to have come into force on the 2nd February 2022.

CHAPTER II

AMENDMENT TO THE MUMBAI MUNICIPAL CORPORATION ACT.

Amendment of section 140 of III of 1888.

2. In section 140 of the Mumbai Municipal Corporation Act,—

III of 1888.

(a) in sub-section (1), in clause (c), the proviso and *Explanation* shall be deleted and shall be deemed to have been deleted with effect from the 1st January 2022;

(b) after sub-section (1), the following sub-section shall be inserted and shall be deemed to have been inserted with effect from the 1st January 2022, namely :—

“(1A) Notwithstanding anything contained in this section or any other provisions of the Act, from the 1st January 2022, the Corporation shall not levy any tax component of property tax specified in sub-section (1) of section 139A, on the residential buildings or residential tenements, having carpet area of 46.45 sq. meter (500 sq. feet) or less.”.

CHAPTER III

AMENDMENT TO THE MAHARASHTRA EDUCATION AND EMPLOYMENT GUARANTEE (CESS) ACT, 1962.

Insertion of section 7A in Mah. XXVII of 1962.

3. After section 7 of the Maharashtra Education and Employment Guarantee (Cess) Act, 1962, the following section shall be inserted and shall be deemed to have been inserted with effect from the 1st January 2022, namely :—

Mah. XXVII of 1962.

“ **7A.** Notwithstanding anything contained in section 4 or any other provisions of the Act or any other law for the time being in force, from the 1st January 2022, the Municipal Corporation of Brihan Mumbai shall not levy and collect the education cess specified in section 4, in the Municipal Corporation of Brihan Mumbai area, on the residential buildings or residential tenements, having carpet area of 46.45 sq. meter (500 sq. feet) or less.”

Exemption of certain residential buildings or residential tenements from payment of tax.

CHAPTER IV

AMENDMENT TO THE MAHARASHTRA (URBAN AREAS)

PROTECTION AND PRESERVATION OF TREES ACT, 1975.

Mah. XLIV of 1975. **4.** In section 18 of the Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975, after sub-section (1B), the following sub-section shall be inserted and shall be deemed to have been inserted with effect from the 1st January 2022, namely :—

Amendment of section 18 of Mah. XLIV of 1975.

“(1B-1) Notwithstanding anything contained in sub-sections (1) and (1A) or any other provisions of the Act or any other law for the time being in force, from the 1st January 2022, the Municipal Corporation of Brihan Mumbai shall not levy and collect the Tree Cess specified in sub-section (1), in the Municipal Corporation of Brihan Mumbai area, on the residential buildings or residential tenements, having carpet area of 46.45 sq. meter (500 sq. feet) or less.”

CHAPTER V

MISCELLANEOUS.

Repeal of Mah. Ord. I of 2022 and saving.	5. (1) The Mumbai Municipal Corporation, Maharashtra Education and Employment Guarantee (Cess) and Maharashtra (Urban Areas) Protection and Preservation of Trees (Amendment) Ordinance, 2022, is hereby repealed.	Mah. Ord. I of 2022.
	(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the Mumbai Municipal Corporation Act, the Maharashtra Education and Employment Guarantee (Cess) Act, 1962 and the Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975, as amended by the said Ordinance, shall be deemed to have been done, taken or, as the case may be, issued under the corresponding provisions of the relevant Acts, as amended by this Act.	III of 1888. Mah. XXVII of 1962. Mah. XLIV of 1975.