



महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

वर्ष ७, अंक २०(३)]

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असाधारण क्रमांक ४५

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, 2021 (Mah. Ord. No. XI of 2021), 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.

[Translation in English of the Mumbai Municipal Corporation (Amendment) Ordinance, 2021 (Mah. Ord. No. XI of 2021), published under the authority of the Governor.]

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 2nd November 2021.

MAHARASHTRA ORDINANCE No. XI OF 2021.

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 circumstances exist which render it necessary for him to take immediate action further to amend the Mumbai Municipal Corporation Act, for the purposes hereinafter appearing ;

III of
1888.

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 commencement.

1. (1) This Ordinance may be called the Mumbai Municipal Corporation (Amendment) Ordinance, 2021.

(2) It shall come into force at once.

Amendment of section 154 of III of 1888.

2. In section 154 of the Mumbai Municipal Corporation Act, (hereinafter referred to as “the principal Act”) in sub-section (1D), in clause (a), — 1888.

(i) in sub-clause (i), after the words and figures “in the year 2020-21 ” the words and figures “and the year 2021-22 ” shall be added ;

(ii) in the sub-clause (ii), after the words and figures “for the year 2020-21” the words and figures “and the year 2021-22” shall be inserted ;

(iii) in sub-clause (iii), —

(a) for the words and figures “in the year 2021-22 ” the words and figures “in the year 2022-23 ” shall be substituted ;

(b) after the words and figures “for the year 2020-21 ” the words and figures “and the year 2021-22 ” shall be added.

Power to remove difficulty.

3. (1) If any difficulty arises in giving effect to the provisions of the principal Act, as amended by this Ordinance, the State Government may, as occasion arises, by an order published in the *Official Gazette*, give such directions, not inconsistent with the provisions of the principal Act, as amended by this Ordinance, as may appear to it to be necessary or expedient for the purpose of removing the difficulty.

(2) Every order issued under sub-section (1) shall be laid, as soon as may be, after it is issued, before each House of the State Legislature.

STATEMENT

Clause (1) of section 139 of the Mumbai Corporation Act (III of 1888) provides for imposing of property taxes. Section 154 of the said Act provides for the determination of the rateable value or the capital value of any building or land assessable to a property tax. Sub-section (1A) of the said section 154 provides for the fixation of the capital value of any building or land assessable to a property tax by the Commissioner having regard to the factors mentioned thereunder. Sub-section (1C) thereof provides that, the capital value of any building or land fixed under sub-section (1A) of the said section 154 shall be revised every five years and such revision was due in the year 2020-21.

2. However, due to spread of COVID-19 pandemic, the lockdown was declared by the State Government as well as the Central Government resulting in adverse economic effect on the small-scale industries, educational institutions, development activities, working in factories, various industrial areas, daily works, etc. As such, new sub-section (1D) in section 154 of the said Act was added by Maharashtra Act No. XXXII of 2020, so that the capital value of any building or land fixed under sub-section (1A) of said section 154 shall not be revised in the year 2020-21 and the property tax bill for any building or land shall be the same as is for the year 2019-20; and other consequential provisions were also made in the said sub-section (1D).

Such situation is still continued due to spread of COVID-19 pandemic, therefore, it is considered expedient to amend sub-section (1D) of said section 154, so as to provide that the capital value of any building or land fixed under sub-section (1A) of said section 154 shall not be revised in the year 2021-22 and the property tax bill for any building or land shall be the same as is for the year 2019-20 and it shall be revised in the year 2022-2023.

3. As both Houses of the State Legislature are not in session and the Governor of Maharashtra is satisfied that circumstances exists 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 1st November 2021.

BHAGAT SINGH KOSHYARI,

Governor of Maharashtra.

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

MAHESH PATHAK,

Principal Secretary to Government.