



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग आठ

वर्ष ३, अंक १२]

गुरुवार, जानेवारी १९, २०१७/पौष २९, शके १९३८

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असाधारण क्रमांक २८

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) Act, 2017 (Mah. Act No. XXII of 2017), is hereby published under the authority of the Governor.

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

N. J. JAMADAR,

Principal Secretary and R.L.A. to Government,  
Law and Judiciary Department.

### MAHARASHTRA ACT No. XXII OF 2017.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 19th January 2017).

An Act further to amend the Mumbai Municipal Corporation Act.

III of 1888. WHEREAS it is expedient further to amend the Mumbai Municipal Corporation Act, for the purposes hereinafter appearing; it is hereby enacted in the Sixty-seventh Year of the Republic of India as follows :—

1. This Act may be called the Mumbai Municipal Corporation Short title. (Amendment) Act, 2016.

(१)

Amendment of section 354 of III of 1888. **2.** In section 354 of the Mumbai Municipal Corporation Act (hereinafter referred to as “the principal Act”), after sub-section (2), the following sub-sections and *Explanation* shall be added, namely :—

“(3) If it shall appear to the Commissioner that any building is dangerous and needs to be pulled down under sub-section (1), the Commissioner shall call upon the owner, before issuing notice thereunder, to furnish a statement in writing signed by the owner stating therein the names of the occupiers of the building known to him or from his record, the area in occupation and location of premises in occupation, possession of each of the respective occupiers or tenants, as the case may be.

(4) If he fails to furnish the statement as required by sub-section (3) within the stipulated period, then the Commissioner shall make a list of the occupants of the said building and carpet area of the premises in their respective occupation and possession alongwith the details of location.

(5) The action taken under this section shall not affect the *inter- se* rights of the owners or tenants or occupiers, including right of re-occupation in any manner.

*Explanation.*—For the purposes of this section, “the tenant” shall have the same meaning as assigned to it in clause (15) of section 7 of the Maharashtra Rent Control Act, 1999.” Mah. XVIII of 2000.

Amendment of section 499 of III of 1888.

**3.** In section 499 of the principal Act,—

(a) after sub-section (2), the following sub-sections shall be added, namely :—

“(3) If the owner fails to commence the reconstruction of the building which is pulled down in pursuance of section 489 read with section 354, within the period of one year from the date of demolition, the tenants shall be entitled to form an association or society and take appropriate steps for reconstruction of the building.

(4) The owner of the building, which is pulled down in pursuance of section 489 read with section 354, shall complete the reconstruction or redevelopment within a period of three years from the date of demolition of such building or such extended period as may be granted by the authority specified by the Government, by notification in the *Official Gazette*. If the owner fails to complete the reconstruction or redevelopment within the said period, then the tenants shall be entitled to form an association or society and take appropriate steps for reconstruction of such building.

(5) After reconstruction or redevelopment of such building as per sub-section (3) or (4), as the case may be, the area equivalent to the area occupied by the tenant shall be handed over to him by the owner, association or, the society, as the case may be, without any further delay and within one month from the date of completion of reconstruction or redevelopment, as the case may be, of such building.

(6) The right of reconstruction to the tenants under sub-section (3) or (4) shall only be for reconstruction to the extent of the area of demolished building. The ownership rights and title to the land including reconstructed or redeveloped building shall continue to remain with the owner and the status of the tenants shall remain as tenants only.”;

(b) after *Explanation II*, the following *Explanation* shall be added, namely :—

“*Explanation III*.—For the purposes of this section, “the tenant” shall have the same meaning as assigned to it in clause XVIII of (15) of section 7 of the Maharashtra Rent Control Act, 1999.”.  
2000.