



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ४, अंक ३१ | मंगळवार, ऑगस्ट १४, २०१२/श्रावण २३, शके १९३४ [पृष्ठे ३, किंमत : रुपये १८.००]

असाधारण क्रमांक ४९

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी 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 and Validation) Act, 2011 (Mah. Act No. XX of 2012), is hereby published under the authority of the Governor.

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

H. B. PATEL,

Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT NO. XX OF 2012.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 14th August 2012).

An Act further to amend the Mumbai Municipal Corporation Act.

Bom. 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-second Year of the Republic of India as follows :—

1. This Act may be called the Mumbai Municipal Corporation Short title (Amendment and Validation) Act, 2011.

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Amendment of section 92 of Bom. III of 1888. **2.** In section 92 of the Mumbai Municipal Corporation Act (hereinafter referred to as "the principal Act"), after clause (ddd), the following clause shall be added and shall be deemed to have been added, with effect from the 22nd June 1993, namely :—

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"(dddd) All leases granted by the corporation of the immovable properties belonging to the corporation for whatever term shall be subject to the following conditions in addition to the conditions stipulated in the Lease-deed or Lease-agreement executed by the corporation, namely :—

(i) Leasehold rights in respect of the properties belonging to the corporation and given on lease may be further assigned or transferred only with the prior permission of the Commissioner, on payment of such premium on account of unearned income and transfer fees or charges at such rates as may be specified by the corporation, from time to time.

(ii) In the case of any contravention of the provisions of sub-clause (i), the lessee or transferor of such leasehold rights, shall be liable to pay penalty in addition to such premium and transfer fees or charges, at such rates as may be specified by the corporation, from time to time."

Validation. **3.** Notwithstanding anything contained in the principal Act, or in any rules, bye-laws or regulations made thereunder or in any judgment, decree or order of any court, tribunal or any other authority, any levy, demand and collection of premium on account of unearned income and transfer fees or charges or penalty by the corporation during the period commencing on the 22nd June 1993 and ending on the date of commencement of the Mumbai Municipal Corporation (Amendment and Validation) Act, 2011, on further assignment or transfer of leasehold rights by the lessee or transferor of such leasehold rights in respect of the properties of the corporation given on lease, with or without the prior permission of the Commissioner, and any action taken by the corporation therefor, shall be deemed to have been validly levied, demanded, collected or taken and shall be deemed always to have been validly levied, demanded, collected or taken under the principal Act, as amended by the Mumbai Municipal Corporation (Amendment and Validation) Act, 2011; and accordingly no suit, prosecution or other

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legal proceedings shall lie in any court or before any tribunal or other authority on the ground that, the provisions of the principal Act, prior to such commencement, did not provide for levy, demand and collection of such premium and transfer fees or charges or penalty or action by the corporation. No suit, prosecution or other legal proceedings shall lie or be maintained or continued in any court or before any tribunal or other authority, for the refund of any such premium and transfer fees or charges or penalty so levied, demanded, collected or for any action taken with effect from the 22nd June 1993.