

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:4879
ANSWERED ON:12.08.2014
BILL FROM MAHARASHTRA .
Nete Shri Ashok Mahadeorao

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Union Government has received several Bills/Acts namely Maharashtra Municipal Corporation, City Council and Maharashtra State Planning and City Construction (Amendment) Bill, 2010, Maharashtra Corporative Societies (Second Amendment) Bill, 2010, Mumbai Municipal Corporation Act, Mumbai Sub-urban Municipal Corporation Act, 1949, Nagpur City Municipal Corporation Act, 1948, Mumbai Police Act, 1951, Maharashtra City Council, City Panchayat and Industrial City Act, 1965 from Maharashtra for approval; and

(b) if so, the details thereof and the present status of the Bills along with the time by which the pending Bills/Acts are likely to be approved?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJU)

(a): Yes, Madam.

(b): The Hon'ble President has given his assent to 'The Maharashtra Municipal Corporations, Municipal Councils and Maharashtra Regional and Town Planning (Amendment) Bill, 2010' on 22.02.2012, which was conveyed to the State Government of Maharashtra on 28.02.2012.

The Maharashtra Co-operative Societies (Second Amendment) Bill, 2010 as passed by the State Legislature of Maharashtra and reserved by the Governor of Maharashtra under article 200 read with article 254(2) of the Constitution of India for consideration of the President of India under article 201 of the Constitution of India has been received in the Ministry of Home Affairs on 08.09.2011. The Bill has been examined in consultation with the Ministry of Agriculture (Department of Agriculture and Cooperation), the Ministry Home Affairs (Judicial Cell and Internal Security -I Division), the Ministry of Corporate Affairs, the Ministry of Finance (Department of Expenditure, Department of Financial Services and Department of Revenue) and the Ministry of Law and Justice (Legislative Department).

The Ministry of Agriculture (Department of Agriculture and Cooperation) and the Ministry of Finance (Department of Financial Services) have made certain observations on the provisions of the Bill which have been forwarded to the State Government of Maharashtra for its comments on 11.05.2012 followed by reminders.

The Mumbai Municipal Corporations, the Bombay Provincial Municipal Corporations, the City of Nagpur Corporation, the Bombay Police and the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships (Amendment) Bill, 2009 has been returned to the State Government of Maharashtra on 12.07.2013 as the State Government of Maharashtra had withdrawn the Bill.

The State Legislations are examined in consultation with the Central Ministries/Departments from three angles viz;

- i) Repugnancy with Central Laws;
- ii) Deviation from National or Central Policy; and
- iii) Legal and Constitutional validity.

Whenever necessary, the State Government is advised to modify/amend provisions of such legislations/Bills, keeping the above in view. Sometimes, discussions are held with the State Governments and Ministries/Departments of the Government of India with a view to arrive at the final decision. Even though this Ministry makes all out efforts for early processing of such legislations, it is difficult to fix a time limit for their approval.