

MAHARASHTRA EXTENSION OF MUNICIPAL LIMITS (VALIDATION) ACT, 1967

[5 of 1967]¹

[17th April, 1967]

An Act to remove doubts as to the validity of certain changes made in the areas comprising the limits of certain local authorities and for matters connected therewith.

WHEREAS, certain areas have been added to and included in the limits of certain Municipalities in pursuance of provisions in the relevant Municipal laws applicable thereto, but without at the same time duly excluding such areas from the limits of the relevant District Local Board, Zilla Parishad, Panchayat Samiti or Village Panchayat, as the case may be, to which these areas pertained, in the manner provided therefor in the relevant law relating to such local authority;

AND WHEREAS, certain areas have likewise been included in and again excluded from the limits of a Municipality without duly altering the limits of the relevant local authorities;

AND WHEREAS, doubts have arisen as to the validity of the inclusion or exclusion of these areas in or from the limits of the Municipalities aforesaid; and in consequence thereof, doubts have also arisen as to the proper constitution of the Municipalities functioning in the municipal limits enlarged or purported to be enlarged or diminished or purported to be diminished as aforesaid, and also of the District Local Boards, Zilla Parishads, Panchayat Samitis and Village Panchayats functioning in the areas purported to be correspondingly diminished or enlarged;

AND WHEREAS, it is expedient to remove these doubts, and to validate all action taken for the purposes aforementioned, and to provide for matters connected therewith; It is hereby enacted in the Eighteenth Year of the Republic of India as follows :-

1. Short title, extent and commencement :- (1) This Act may be called the Maharashtra Extension of Municipal Limits (Validation) Act, 1967.

(2) It shall be deemed to have come into force on the 12th day of January 1967.

2. Definitions :- In this Act, unless the context otherwise requires,-

(a) "District Local Board" means a District Local Board specified in column 5 of the Schedule;

(b) "Municipal law" means a Municipal Act, specified in column 3 of the Schedule, as in force at the relevant time;

(c) "Municipality" means a municipal authority specified in column 2 of the Schedule;

(d) "Panchayat Samiti" means a Panchayat Samiti specified in column 5 of the Schedule;

1. For Statement of Objects and Reasons, see Maharashtra Government Gazette, 1967, Part V, Extra p. 6.

(e) "Schedule" means the Schedule to this Act;

(f) "Village Panchayat" means a Village Panchayat specified in column 5 of the Schedule;

(g) "Zilla Parishad" means a Zilla Parishad specified in column 5 of the Schedule.

3. Validation of inclusion or exclusion of certain areas in or from municipal limits and re-constitution of local authorities concerned :-

(1) Notwithstanding anything contained in the Bombay Local Boards Act, 1923, as in force immediately before the 1st day of May 1962, or anything in the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961, or the Bombay Village Panchayats Act, 1958, or in any other law for the time being in force, the addition to and inclusion of any area in, or exclusion of any area from, the limits of any Municipality mentioned in column 2 of the Schedule, in pursuance of the Government Notification (issued under the relevant Municipal law) set out against such Municipality in column 4 of the Schedule, shall be deemed for all purposes to have been properly and validly added to and included in, or excluded from, the municipal limits of the said Municipality according to the tenor of the Notification; and the said area shall be deemed to have been duly excluded or included, at the relevant time, from or in the limits of the local authorities set out against it, in column 5 of the Schedule.

(2) And accordingly, the Municipality, the District Local Board, the Zilla Parishad, Panchayat Samiti or, as the case may be, the Village Panchayat mentioned aforesaid, shall be deemed for all purposes to have been properly and validly constituted or reconstituted in respect of the enlarged or, as the case may be, diminished area within its limits; and anything done, or any action taken by or on behalf of the State Government or the Municipality, the District Local Board, the Zilla Parishad, Panchayat Samiti or the Village Panchayat, or any body or officer or servant of any of them, by or under the relevant laws applicable thereto, shall be deemed to have been validly done or taken; and anything so done or action taken shall not be called in question in any court or before any Tribunal or authority on the ground only that any area was not validly added to or included in, or excluded from, the municipal limits, or that it was not duly excluded or included correspondingly from or in the limits of the District Local Board, Zilla Parishad, Panchayat Samiti or Village Panchayat or on any ground which flows from or is a consequence thereof.

4. Repeal of Mah. Ord I of 1967 :- The Maharashtra Extension of Municipal Limits (Validation) Ordinance, 1967, is hereby repealed.

SCHEDULE

Sr. No.	Name of Municipality	Act under which municipal limits extended or diminished	Government Notification under which limits extended or diminished	Name of District Local Board, Zilla Parishad, Panchayat Samiti and Village Panchayat concerned
1.	The Ahmednagar Borough Municipality	The Bombay Municipal Boroughs Act, 1925 (Bom. XVIII of 1925).	Urban Development and Public Health Department Notification No. MBR. 1259/A, dated the 27th April 1962.	The District Local Board of Ahmednagar, the Ahmednagar Zilla Parishad, the Ahmednagar Panchayat Samiti and the Village Panchayat of Savedi
2.	The Municipality of Shirampur.	The Bombay District Municipal Act, 1901 (Bom. III of 1901)	Urban Development and Public Health Department Notification No. DTM. 1261 / 54327-A, dated the 27th April 1964.	The Ahmednagar Zilla Parishad, the Shirampur Panchayat Samiti and the Village Panchayat of Shirasgaon.
3.	The Jalgaon Borough of Municipality.	The Bombay Municipal Boroughs Act, 1925 (Bom. XVIII of 1925)	Urban Development and Public Health Department Notification No. MBR. 1261 -A, dated the 9th May 1963.	The Jalgaon Zilla Parishad, the Jalgaon Panchayat Samiti and the Village Panchayat of Pimprala.
4.	The Municipality of Pachora.	The Bombay District Municipal Act, 1901 (Bom. III of 1901)	Urban Development and Public Health Department Notification No. DTM. 1263 / 25172-A, dated the 6th May 1965.	The Jalgaon Zilla Parishad and the Pachora Panchayat Samiti.
5.	The Municipality of Savada.	The Bombay District Municipal Act, 1901 (Bom. III of 1901)	Urban Development and Public Health Department Notification No. DTM. 1263 / 25/70-A, dated the 8th May 1965.	The Jalgaon Zilla Parishad and the Raver Panchayat Samiti.
6.	The Municipality of Erandol.	The Bombay District Municipal Act, 1901 (Bom. III of 1901)	Urban Development and Public Health Department Notification No. DTM. 1263 / 26545-A, dated the 18th June 1965.	The Jalgaon Zilla Parishad and the Erandol Panchayat Samiti.
7.	The Municipality of Panvel.	The Bombay District Municipal Act, 1901 (Bom. III of 1901)	Urban Development and Public Health Department Notification No. DTM. 1260 / 17991-A, dated the 25th May 1964	The Kolaba Zilla Parishad and the Panvel Panchayat Samiti.
8.	The Malegaon Borough Municipality.	The Bombay Municipal Boroughs Act, 1925 (Bom. XVIII of 1925).	Urban Development and Public Health Department Notification No. MBR. 1262 / 41093-A, dated the 3rd October, 1963.	The Nasik Zilla Parishad and the Malegaon Panchayat Samiti.
