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मध्यप्रदेश राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 98]

भोपाल, शुक्रवार, दिनांक 17 मार्च 2023—फाल्गुन 26, शक 1944

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 17 मार्च 2023

क्र. 4779-79-इक्कीस-अ(प्रा.).—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में, मध्यप्रदेश नगरपालिक विधि (संशोधन) विधेयक, 2023 (क्रमांक 1 सन् 2023) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्द्वारा प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
राजेश यादव, अतिरिक्त सचिव.

MADHYA PRADESH BILL
No. 1 OF 2023

THE MADHYA PRADESH NAGARPALIK VIDHI(SANSHODHAN)
VIDHEYAK, 2023

A Bill further to amend the Madhya Pradesh Municipal Corporation Act, 1956 and the Madhya Pradesh Municipalities Act, 1961.

Be it enacted by the Madhya Pradesh Legislature in the seventy-fourth year of the Republic of India as follows :—

Short title.

1. This Act may be called the Madhya Pradesh Nagarpalik Vidhi (Sanshodhan) Adhiniyam, 2023.

PART—I

AMENDMENT TO THE MADHYA PRADESH MUNICIPAL CORPORATION ACT, 1956
(NO. 23 OF 1956)

Amendment to
the Madhya
Pradesh Act
No. 23 of 1956.

2. In the Madhya Pradesh Municipal Corporation Act, 1956 (No. 23 of 1956),—

(1) In Section 195, for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) If the owner or occupier of a building or land in spite of service of notice or order under this section fails to carry out the work mentioned therein within the period specified in the notice or order, as the case may be, the Commissioner shall impose a fine which may extend to five thousand rupees and further additional fine which may extend to two hundred rupees per day till the work mentioned in the notice is not complete:

Provided that without prejudice to the right to take proceedings for fine in respect of the contravention of this section, the Commissioner may get the said work done through his agency and recover the cost incurred in connection therewith, from the owner or occupier thereof, as the case may be, in the manner provided in Chapter XII.”.

(2) Section 290 shall be deleted.

(3) Section 360 shall be deleted.

(4) Section 362 shall be deleted.

PART—II

AMENDMENT TO THE MADHYA PRADESH MUNICIPALITIES ACT, 1961
(NO. 37 OF 1961)

Amendment to
the Madhya
Pradesh Act
No. 37 of 1961.

3. In the Madhya Pradesh Municipalities Act, 1961 (No. 37 of 1961),—

(1) In Section 208, for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) If the owner or occupier of a building or land in spite of service of notice or order under this section fails to carry out the work mentioned therein within the period specified in the notice or order, as the case may be, the Council shall impose a fine which may extend to five thousand rupees and further additional fine which may extend to two hundred rupees per day till the work mentioned in the notice is not complete:

Provided that without prejudice to the right to take proceedings for fine in respect of the contravention of this section, the Council may get the said work done through its agency and recover the cost incurred in connection therewith, from the owner or occupier thereof, as the case may be, in the manner provided in Chapter XII.”.

(2) Section 288 shall be deleted.

(3) Section 290 shall be deleted.

STATEMENT OF OBJECTS AND REASONS

The authorities of urban local bodies have powers to take penal action against violations of any provisions of the Madhya Pradesh Municipal Corporation Act, 1956 (No. 23 of 1956) and the Madhya Pradesh Municipalities Act, 1961 (No. 37 of 1961). In addition, there are also provisions in the Acts which provide for imprisonment for violation of certain provisions. These provisions have been reviewed and found that presently some of these provisions have become obsolete in the due course of time. A number of provisions have been identified wherein decriminalization can be introduced under the Reducing Compliance Burden exercise.

2. After review in the Madhya Pradesh Municipal Corporation Act, 1956, section 195 (5) has been identified, wherein provisions of imprisonment can be removed and section 290, 360 and 362 may be deleted. Similarly, in the Madhya Pradesh Municipalities Act, 1961, section 208(5) has been identified wherein provisions of imprisonment can be removed and sections 288 and 290 can be deleted. Therefore, it is proposed to make suitable amendments in the relevant sections of the Madhya Pradesh Municipal Corporation Act, 1956 and the Madhya Pradesh Municipalities Act, 1961.

3. Hence this Bill.

Bhopal :

Dated the 28th February, 2023

BHUPENDRA SINGH

Member-In-Charge.