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मध्यप्रदेश राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 645]

भोपाल, गुरुवार, दिनांक 22 दिसम्बर 2022—पौष 1, शक 1944

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 22 दिसम्बर 2022

क्र. 19376-321-इक्कीस-अ(प्रा.).—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में मध्यप्रदेश नगरपालिक विधि (चतुर्थ संशोधन) विधेयक, 2022 (क्रमांक 30 सन् 2022) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,

राजेश यादव, अतिरिक्त सचिव.

MADHYA PRADESH BILL
No. 30 OF 2022

THE MADHYA PRADESH NAGARPALIK VIDHI(CHATURTH SANSHODHAN)
VIDHEYAK, 2022

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-third year of the Republic of India as follows :—

Short title.

1. This Act may be called the Madhya Pradesh Nagarpalik Vidhi (Chaturth Sanshodhan) Adhiniyam, 2022.

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), for Section 358, the following section shall be substituted, namely :—

"358. Letting loose or tethering cattle or other animals at public street or place.—
Whosoever wilfully or negligently lets loose or tethers cattle or other animal at any public street or place, so as to cause injury to any person, or damage property, or obstruct or endanger the public traffic, or cause public nuisance, shall be punishable with such fine as may be prescribed by the State Government, not exceeding one thousand rupees."

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), for Section 254, the following section shall be substituted, namely :—

"254. Letting loose or tethering cattle or other animals at public street or place.—
Whosoever wilfully or negligently lets loose or tethers cattle or other animal at any public street or place, so as to cause injury to any person, or damage property, or obstruct or endanger the public traffic, or cause public nuisance, shall be punishable with such fine as may be prescribed by the State Government, not exceeding one thousand rupees."

Repeal
saving.

and

4. (1) The Madhya Pradesh Nagarpalik Vidhi (Sanshodhan) Adhyadesh, 2022 (No. 6 of 2022) is hereby repealed.

(2) Notwithstanding the repeal of the said Ordinance, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

The Hon'ble High Court of Madhya Pradesh in several writ petitions and contempt petition has issued directions to curb menace of stray cattle and also directed the State Government to raise amount of fine.

2. As per provision of Section 358 of the Madhya Pradesh Municipal Corporation Act, 1956 (No. 23 of 1956), the maximum amount of fine is 500 rupees which is very low in current perspective. Hence suitable amendment is proposed so that the State Government shall be able to raise the amount of fine from time to time by rules.

3. As per provision of Section 254 of the Madhya Pradesh Municipalities Act, 1961 (No. 37 of 1961), the maximum amount of fine is 25 rupees for first offence and maximum fine of 50 rupees for any subsequent offence, which is very low in current perspective. Hence suitable amendment is proposed so that the State Government shall be able to raise the amount of fine from time to time by rules.

4. As the matter was urgent and the Legislative Assembly was not in session, the Madhya Pradesh Nagarpalik Vidhi (Sanshodhan) Adhyadesh, 2022 (No. 6 of 2022) was promulgated for the purpose. It is now proposed to replace the said Ordinance by an Act of the State Legislature without any modification.

5. Hence this Bill.

BHOPAL :
DATED THE 19th DECEMBER 2022

BHUPENDRA SINGH
Member-In-Charge