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मंगळवार, डिसेंबर १८, २०१२/अग्रहायण २७, शके १९३४

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### **MAHARASHTRA LEGISLATURE SECRETARIAT**

The following Bill was introduced in the Maharashtra Legislative Assembly on the **18<sup>th</sup> December, 2012** is published under Rule **117** of the Maharashtra Legislative Assembly Rules.

### **L. A. BILL No. XXXIX OF 2012.**

#### *A BILL*

*further to amend the Maharashtra District Planning Committees (Constitution and Functions) Act, 1998.*

WHEREAS it is expedient further to amend the Mah. Maharashtra District Planning Committees (Constitution and Functions) Act, 1998, for the purposes hereinafter appearing; it is hereby enacted in the Sixty-third Year of the Republic of India as follows:—

1. This Act may be called the Maharashtra District Planning Committees (Constitution and Functions) (Amendment) Act, 2012. Short title.

Amendment  
of section 4  
of Mah.  
XXIV of  
1998.

2. In section 4 of the Maharashtra District Planning Committees (Constitution and Functions) Act, 1998,—

Mah.  
XXIV  
of  
1998.

(1) in sub-section (2),—

(a) in the first proviso, for the words “one-third” the words “one-half” shall be substituted;

(b) in the second proviso, the words “and where only two seats are reserved for the Scheduled Castes, one of the two seats shall be reserved for woman belonging to the Scheduled Castes” shall be deleted;

(2) in sub-section (3), in the proviso, for the words “one-third” the words “one-half” shall be substituted;

(3) in sub-section (4), for the words “One-third” the words “One-half” shall be substituted.

Power to  
remove  
difficulty.

3. (1) If any difficulty arises in giving effect to the provisions of the Maharashtra District Planning Committees (Constitution and Functions) Act, 1998, as amended by this Act or by reason of anything contained therein, or in giving effect to the said Act in respect of the matters contained in this Act, the State Government may, as occasion arises, by an order published in the *Official Gazette*, do anything not inconsistent with the provisions of this Act, which appears to it to be necessary or expedient for the purpose of removing such difficulty:

Mah.  
XXIV  
of  
1998.

Provided that, no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before each House of the State Legislature.

## STATEMENT OF OBJECTS AND REASONS

Article 243-ZD of the Constitution of India provides for the constitution of the District Planning Committees by the State Government, at the district level in every State to consolidate the plans prepared by the Panchayats and the Municipalities in the district and to prepare a draft development plan for the district as a whole. The said article further provides that, not less than four-fifths of the total number of members of such Committee shall be elected by, and from amongst, the elected members of the Panchayat at the district level and of the Municipalities in the district in proportion to the ratio between the population of the rural areas and of the urban areas in the district. The said article also provides that, it will be for the State Legislature to provide, by law, with respect to composition of the District Planning Committees and the manner of filling the seats of such Committees. Accordingly, the Maharashtra District Planning Committees (Constitution and Functions) Act, 1998 (Mah. XXIV of 1998) has been enacted. Section 4 of the said Act provides that, one-third (including the number of seats reserved for women belonging to the Scheduled Castes, Scheduled Tribes and Backward Class of Citizens) of the total number of seats to be filled-in by election from the urban area or rural area in a District Planning Committee shall be reserved for women.

2. Recently, the Government of Maharashtra has raised the percentage of reservation for women in the rural and urban local bodies in the State from one-third to one-half as the women population is around fifty per cent. On the similar lines, the Government considers it expedient to raise the reservation for women as the members of the District Planning Committees from existing "one-third" to "one-half" and for that purpose to amend section 4 of the Maharashtra District Planning Committees (Constitution and Functions) Act, 1998 (Mah. XXIV of 1998), suitably.

3. The Bill seeks to achieve the above objectives.

Nagpur,

JAYANT PATIL,

Dated the 17th December, 2012. Minister for Planning.

महाराष्ट्र शासन राजपत्र, भाग पाच-अ,  
गुरुवार-बुधवार, एप्रिल ३-९, २०१४/चैत्र १३-१९, शके १९३६

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill involves the following proposal for delegation of legislative power, namely :—

*Clause 3.*—Under this clause, power is taken to the State Government, as occasion arises, by an order published in the *Official Gazette*, to remove any difficulty, which may arise in implementation of this Act during the initial period of two years.

2. The above-mentioned proposal for delegation of legislative power is of a normal character.

**Vidhan Bhavan :**  
Nagpur,

**Dr. ANANT KALSE,**  
Principal Secretary,

Dated the 18<sup>th</sup> December, 2012. Maharashtra Legislative Assembly.