



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग आठ

वर्ष १, अंक ५७]

बुधवार, डिसेंबर २, २०१५/अग्रहायण ११, शके १९३७

[पृष्ठे ३, किंमत : रुपये २७.००

असाधारण क्रमांक ११५

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra State Public Services (Reservation for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*) Nomadic Tribes, Special Backward Category and Other Backward Classes) (Amendment) Ordinance, 2015 (Mah. Ord. No. XXIV of 2015), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

N. J. JAMADAR,  
I/c. Secretary (Legislation) to Government,  
Law and Judiciary Department.

[Translation in English of the Maharashtra State Public Services (Reservation for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes, Special Backward Category and Other Backward Classes) (Amendment) Ordinance, 2015 (Mah. Ord. XXIV of 2015), published under the authority of the Governor].

### GENERAL ADMINISTRATION DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,  
Mumbai 400 032, dated the 2nd December 2015.

### MAHARASHTRA ORDINANCE No. XXIV OF 2015.

#### AN ORDINANCE

*to amend the Maharashtra State Public Services (Reservation for Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Special Backward Category and Other Backward Classes) Act, 2001.*

WHEREAS both Houses of the State Legislature are not in session;

AND WHEREAS the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action to amend the Maharashtra State Public Services (Reservation for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes, Special Backward Category and Other Backward Classes) Act, 2001, for the purpose hereinafter appearing ;

Mah.  
VIII of  
2004.

(१)

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgate the following Ordinance, namely :—

Short title  
and  
commence-  
ment.

1. (1) This Ordinance may be called the Maharashtra State Public Services (Reservation for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes, Special Backward Category and Other Backward Classes) (Amendment) Ordinance, 2015.

(2) It shall come into force with effect from the 1st August 2014.

Amendment  
of section 4 of  
Mah. VIII of  
2004.

2. In section 4 of the Maharashtra State Public Services (Reservation for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes, Special Backward Category and Other Backward Classes) Act, 2001, in sub-section (2),—

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VIII of  
2004.

(a) in the third proviso, the word “Thane,” shall be deleted with effect from the 1st August 2014 ;

(b) after the third proviso, the following proviso shall be added, namely :—

“Provided also that, on the date preceding the date of formation of the Palghar District, that is preceding the 1st August 2014, the reservation including additional reservation for the Scheduled Tribes which was in force in the then Thane District for direct recruitment in Group ‘C’ and Group ‘D’ posts, under any Government Orders, shall continue to be in force with effect from the 1st August 2014 in the Palghar District till such orders are modified or revoked ; and on or after the 1st August 2014, the reservation for direct recruitment in Group ‘C’ and Group ‘D’ posts in the Thane District existing from the 1st August 2014, after division of the then Thane District, shall be as provided in the Table under this sub-section.”.

STATEMENT

The Maharashtra State Public Services (Reservation for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes, Special Backward Category and Other Backward Classes) Act, 2001 (Mah. VIII of 2004) has been enacted to provide for the reservation of vacancies in public services and posts in favour of the persons belonging to the Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes, Special Backward Category and Other Backward Classes of citizens and for matter connected therewith or incidental thereto.

Sub-section (2) of section 4 of the said Act provides for reservation and percentage therefor to the various categories specified therein. The third proviso to sub-section (2) of the said section 4 provides that if on the date of coming into force of this Act, if any additional reservation is in force for the Scheduled Tribes in Thane, Nashik, Dhule, Nandurbar, Raigad, Yavatmal, Chandrapur and Gadchiroli districts for direct recruitment in Group 'C' and Group 'D' posts, under any Government Orders, such reservation shall continue to be in force till such orders are modified or revoked.

2. The Government of Maharashtra has, *vide* the Government Notification, Revenue and Forests Department, No. Pra.Phe.B.1108/C.R.167/Thane/M-10, dated the 31st July 2014, divided and altered the areas of the existing Thane District with effect from the 1st August 2014 and established a new Palghar District including areas of Talukas of Palghar, Vasai, Dahanu, Talasari, Javhar, Wada, Mokhada and Vikramgad therein having its headquarter at Palghar.

Due to the division of the then Thane District, Talukas having high density of population of Scheduled Tribes have been included in the Palghar District. Therefore, it is considered expedient to provide that, on the date preceding the date of formation of the Palghar District, that is preceding the 1st August 2014, the reservation including additional reservation for the Scheduled Tribes which was in force in the then Thane District for direct recruitment in Group 'C' and Group 'D' posts, under any Government Orders, shall continue to be in force from the 1st August 2014 in the Palghar District, which was the part of the then Thane District, till such orders are modified or revoked; and on or after the 1st August 2014, the percentage of reservation for direct recruitment in Group 'C' and Group 'D' posts in the Thane District existing from the 1st August 2014, after division of the then Thane District shall be as provided in the Table under sub-section (2) of the said section 4, by suitably amending the said section 4.

3. As both Houses of the State Legislature are not in session and the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action to amend the Maharashtra State Public Services (Reservation for Scheduled Castes, Scheduled Tribes, De-notified Tribes (*Vimukta Jatis*), Nomadic Tribes, Special Backward Category and Other Backward Classes) Act, 2001 (Mah. VIII of 2004), for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,  
Dated the 2nd December 2015.

CH. VIDYASAGAR RAO,  
Governor of Maharashtra.

By order and in the name of the Governor of Maharashtra,

PRAMOD T. NALAWADE,  
Secretary to Government.