



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ३, अंक ७३]

शनिवार, ऑक्टोबर ७, २०१७/आश्विन १५, शके १९३९

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असाधारण क्रमांक १४९

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 Zilla Parishads and Panchayat Samitis (Amendment) Ordinance, 2017 (Mah. Ord. XXI of 2017), is hereby published under the authority of the Governor.

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

N. J. JAMADAR,
Principal Secretary and R.L.A to Government,
Law and Judiciary Department.

(Translation in English of the Maharashtra Zilla Parishads and Panchayat Samitis (Amendment) Ordinance, 2017 (Mah. Ord. XXI of 2017), Published under the authority of the Governor).

RURAL DEVELOPMENT DEPARTMENT

Bandhkam Bhavan, 25, Marzban Path, Fort,
Mumbai 400 001, dated the 7th October 2017.

MAHARASHTRA ORDINANCE No. XXI OF 2017.

AN ORDINANCE

*further to amend the Maharashtra Zilla Parishads and
Panchayat Samitis Act, 1961.*

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

Mah. V action further to amend the Maharashtra Zilla Parishads and Panchayat
of 1962. Samitis Act, 1961, for the purposes hereinafter appearing ;

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.	<p>1. (1) This Ordinance may be called the Maharashtra Zilla Parishads and Panchayat Samitis (Amendment) Ordinance, 2017.</p> <p>(2) It shall come into force at once.</p>	
Amendment of section 111 of Mah. V of 1962.	<p>2. In section 111 of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961, in sub-section (3),—</p> <p>(a) for the word “one-fifth” the word “two-fifth” shall be substituted ;</p> <p>(b) for the existing proviso, the following provisos shall be substituted, namely :—</p> <p>“ Provided that, special meeting shall not be called within sixty days from the date of immediately preceding meeting of Zilla Parishad :</p> <p>Provided further that, if the President receives the request for calling a special meeting within sixty days from the date of preceding meeting of Zilla Parishad, then the President may, either call a special meeting within sixty days or reject the request by recording the reasons thereof :</p> <p>Provided also that, where a special meeting is called the notice of meeting shall state a date at which the meeting is to be held, being a date not later than thirty days from the date of the issue of the notice.”.</p>	Mah. V of 1962.

STATEMENT.

Section 111 of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (Mah. V of 1962) provides for the meeting of Zilla Parishads. Sub-section (3) of said section 111 confer powers on the President to fix the date of meeting of the Zilla Parishad. It also provides that upon the written request of one-fifth of the total number of Councillors, who are for time being entitled to sit and vote at any meeting of the Zilla Parishad, within seven days from the receipt of such request, the President shall issue notice of calling the special meeting. The said quantum of one-fifth Councillors to call a special meeting appears to be meager, and there is also a persistent demand from the people's representatives to increase such quantum from one-fifth to two-fifth.

2. At present, there is no restriction, on the number of the special meeting, and therefore, request for calling special meeting are made frequently, which is mandatory for the President to call special meeting of Zilla Parishad. Large number of frequency of special meeting affects day today working of the Zilla Parishads. It is, therefore, necessary that there should be some sort of restriction on calling such special meeting of the Zilla Parishads. It is, therefore, considered it expedient to make the provisions to raise the quantum of Councillors required to call a special meeting from one-fifth to two-fifth and to make suitable provision that, no special meeting shall be called within sixty days from the date of immediately preceding the meeting of Zilla Parishad and if President receives the request for calling a special meeting within sixty days, he may either call a meeting or reject the request, by recording the reasons thereof, by amending the relevant provision of the said Act, suitably. For the purpose the Maharashtra Zilla Parishads and Panchayat Samitis (Amendment) Bill, 2017 (L. A. Bill No. LV of 2017) was passed in the Maharashtra Legislative Assembly on 11th August 2017 and the said Bill is pending in the Maharashtra Legislative Council. To ensure that the day-to-day functioning of the Zilla Parishads is carried out smoothly, it is considered expedient to amend the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961, suitably.

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 further to amend the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961, for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,
Dated the 6th October 2017.

CH. VIDYASAGAR RAO,
Governor of Maharashtra.

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

ASEEM GUPTA,
Secretary to Government.