



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ३, अंक ७६]

सोमवार, ऑक्टोबर ३०, २०१७/कार्तिक ८, शके १९३९

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असाधारण क्रमांक १५२

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 Pandharpur Temples (Amendment) Ordinance, 2017 (Mah. Ord. XXIV of 2017), is hereby published under the authority of the Governor.

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

R. G. BHAGWAT,

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

[Translation in English of the Pandharpur Temples (Amendment) Ordinance, 2017 (Mah. Ord. XXIV of 2017), published under the authority of the Governor].

LAW AND JUDICIARY DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 30th October 2017.

MAHARASHTRA ORDINANCE No. XXIV OF 2017.

AN ORDINANCE

further to amend the Pandharpur Temples Act, 1973.

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. IX action further to amend the Pandharpur Temples Act, 1973, for the purposes of 1974. hereinafter appearing ;

(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 commencement.

1. (1) This Ordinance may be called the Pandharpur Temples (Amendment) Ordinance, 2017.

(2) It shall come into force at once.

Amendment of section 2 of Mah. IX of 1974.

2. In section 2 of the Pandharpur Temples Act, 1973 (hereinafter referred to as “the principal Act”), for clause (s), the following clause shall be substituted, namely :—

Mah. IX of 1974.

“(s) “member” means a member of the Committee and includes the Chairman and Co-Chairman appointed under clause (a) of sub-section (1) of section 21 ;”.

Amendment of section 21 of Mah. IX of 1974.

3. In section 21 of the principal Act, in sub-section (1),—

(a) in clause (a), for the words “including the Chairman” the words “including the Chairman and Co-Chairman” shall be substituted ;

(b) to clause (a), the following proviso shall be added, namely :—

“Provided that, the Co-Chairman shall perform such of the functions and discharge such of the duties of the Chairman as may be prescribed;”.

Amendment of section 24 of Mah. IX of 1974.

4. In section 24 of the principal Act, after the proviso, the following proviso shall be added, namely :—

“Provided further that, the term of the first Co-Chairman appointed after the commencement of the Pandharpur Temples (Amendment) Ordinance, 2017, shall be co-terminus with the term of the members of the Committee appointed *vide* the Government Notification, Law and Judiciary Department, No. PTA. 2014/C.R.07/ D.16, dated the 3rd July 2017.”.

Mah. Ord. XXIV of 2017.

Substitution of section 25 of Mah. IX of 1974.

5. For section 25 of the principal Act, the following section shall be substituted, namely :—

Resignation of members, Co-Chairman and Chairman.

“25. (1) Any member appointed by the State Government may resign his office by writing under his hand addressed to the Chairman.

(2) The Co-Chairman and the Chairman may resign his office by giving similar notice to the State Government.

(3) The notice shall be delivered in the prescribed manner.

(4) The office of the member shall become vacant from the date of acceptance of the resignation by the Chairman and the office of the Co-Chairman or, as the case may be, the Chairman shall become vacant from the date of acceptance of the resignation by the State Government.”.

Amendment of section 29 of Mah. IX of 1974.

6. In section 29 of the principal Act, in sub-section (1), for the words “a Chairman or member” the words “the Chairman, the Co-Chairman or member” shall be substituted.

7. In section 30 of the principal Act, for sub-section (5), the following sub-section shall be substituted, namely :—

Amendment of section 30 of Mah. IX of 1974.

“(5) Every meeting of the Committee shall be presided over by the Chairman, and in his absence, by the Co-Chairman and in the absence of both the Chairman and the Co-Chairman, by a member chosen by the members present to preside for the occasion.”.

8. In section 31 of the principal Act, for the words “the Chairman or”, at both the places where they occur, the words “the Chairman, the Co-Chairman or” shall be substituted.

Amendment of section 31 of Mah. IX of 1974.

Mah. IX of 1974.

9. (1) If any difficulty arises in giving effect to the provisions of the Pandharpur Temples Act, 1973, as amended by this Ordinance, the State Government may, as the occasion arises, by an order published in the *Official Gazette*, give such directions not inconsistent with the provisions of the said Act, as amended by this Ordinance, as may appear to it to be necessary or expedient for the purpose of removing the difficulty.

Power to remove difficulty.

(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

The Pandharpur Temples Act, 1973 (Mah. IX of 1974) has been enacted to *inter alia* provide for the abolition of all the hereditary rights, privileges of ministrants and priestly classes functioning in the Temples of Vitthal and Rukmini at Pandharpur as also for the acquisition of such rights and privileges and for the vesting of such rights and privileges in a Committee established for the purpose and for providing for better administration and governance of those Temples.

The religious rites and ceremonies, in respect of the *Chaitri, Ashadhi, Kartiki and Maghi Yatras* are performed in the traditional manner, in those Temples.

2. Section 21 of the said Act empowers the State Government to establish a Committee consisting of eleven members including the Chairman, to be appointed by the State Government from amongst persons ordinarily residing in the State who are devotees of God *Vitthal* and Goddess *Rukmini*, and who, prior to their appointment, make a declaration accordingly in the form determined by the State Government for the purpose and the President of the Pandharpur Municipal Council, *ex officio*.

3. In order to achieve the object of more co-ordinated and efficient management of the affairs of the Committee and with a view to ensuring that the religious rites and ceremonies are performed in conformity with traditions and customs and that due consideration is given to religious sentiments, it is considered expedient to provide for appointment of the Co-Chairman of the Committee, who shall perform such of the functions and discharge such of the duties of the Chairman as may be prescribed by rules. It is, therefore, considered expedient to amend the said Act, suitably.

4. Having regard to ensuing *Kartiki Yatra*, scheduled to be held on the 31st October 2017, it is considered expedient to carry out the amendments in this behalf, immediately.

5. 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 Pandharpur Temples Act, 1973 (Mah. IX of 1974), for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,
Dated the 28th October 2017.

CH. VIDYASAGAR RAO,
Governor of Maharashtra.

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

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