



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग आठ

वर्ष ६, अंक २९(१२)]

सोमवार, सप्टेंबर ७, २०२०/भाद्र १६, शके १९४२

[पृष्ठे २, किंमत : रुपये २७.००

### असाधारण क्रमांक ६६ 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 Public Trusts (Amendment) Bill, 2020 (L. C. BILL No. VI of 2020), introduced in the Maharashtra Legislative Council on the 7th September 2020, is hereby published under the authority of the Governor.

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

RAJENDRA G. BHAGWAT,  
Secretary (Legislation) to Government,  
Law and Judiciary Department.

### L. C. BILL No. VI OF 2020.

#### A BILL

*further to amend the Maharashtra Public Trusts Act.*

XXIX of 1950. WHEREAS it is expedient further to amend the Maharashtra Public Trusts Act, for the purposes hereinafter appearing; it is hereby enacted in the Seventy-first Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Public Trusts (Amendment) Act, 2020. Short title.

XXIX of 1950. (2A),— 2. In section 5 of the Maharashtra Public Trusts Act, in sub-section Amendment of section 5 of XXIX of 1950.

(a) in clause (c), the word; “or” shall be added at the end;

(b) after clause (c), the following clause shall be added, namely :—

“(d) who, being a person not falling under clause (c), and who holds a degree of law of any University established by law or any other University recognised by the State Government in this behalf and has worked in the Charity Organisation, for not less than 3 years, after obtaining such degree on a post of the Superintendent or the Public Relation Officer or the Legal Assistant and has passed the departmental examination to be conducted as per the rules prescribed by the Charity Commissioner.”.

## STATEMENT OF OBJECTS AND REASONS

Sub-section (2 A) of section 5 of the Maharashtra Public Trusts Act, 1950 (XXIX of 1950) provides for the appointment of Assistant Charity Commissioners. Clause (c) of the said sub-section provides that, a person who holds a degree of law of any University established by law or any other University recognised by the State Government in this behalf and has worked in the Charity Organisation for not less than 5 years after obtaining such degree on a post not lower in rank than the Senior Clerk or the Steno-Typist and has passed the competitive departmental examination to be conducted as per the rules prescribed by the Charity Commissioner may be appointed as an Assistant Charity Commissioner in the office of Charity Commissioner. The said provision was inserted by the Maharashtra Public Trusts (Second Amendment) Act, 2017 (Mah. LV of 2017), which came into force with effect from the 10th October 2017.

2. By reason of aforesaid amendment, the mode of promotion from the feeder cadre in the office of the Charity Commissioner i.e., the Superintendent or the Public Relations Officer or the Legal Assistant have been ruined. As a reason of which, a feeling of great dissatisfaction emerged in the said cadre, which led to frustration in the employees. Therefore, it has become expedient to open the mode of promotion for them in the said cadre. As such, in order to select meritorious candidates from amongst available candidates, a provision needs to be made, so that the candidates from the feeder cadre who have qualified the departmental examination would get a chance of promotion. Thereby, pyramid of promotional channel will be maintained.

3. The Bill seeks to achieve the above objectives.

Mumbai,

Dated the 4th September 2020.

UDDHAV THACKERAY,

Chief Minister.