



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ८, अंक २७]

गुरुवार, जुलै १४, २०२२/आषाढ २३, शके १९४४

[पृष्ठे ३, किंमत : रुपये २७.००

असाधारण क्रमांक ५६ 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, 2022. (Mah. Ord. III of 2022), is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,

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

(Translation in English of the Maharashtra Zilla Parishads and Panchayat Samitis (Amendment) Ordinance, 2022. (Mah. Ord. III of 2022), published under the authority of the Governor).

RURAL DEVELOPMENT DEPARTMENT

Bhandhkam Bhavan, 25, Marzban Path, Fort,
Mumbai 400 001, dated the 14th July 2022.

MAHARASHTRA ORDINANCE No. III OF 2022.

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 action further to amend the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961, for the purposes hereinafter appearing ;

Mah. V of
1962.

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 Zilla Parishads and Panchayat Samitis (Amendment) Ordinance, 2022.

(2) It shall come into force at once.

Amendment
of section
43 of Mah.
V of 1962.

2. In section 43 of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (hereinafter referred to as "the principal Act"), to sub-section (1), the following provisos shall be added, namely:-

Mah.
V of
1962.

"Provided that, the term of office of the President or Vice-President in office, on the date of commencement of the Maharashtra Zilla Parishads and Panchayat Samitis (Amendment) Ordinance, 2022, may be extended upto three months by the State Government by an order Published in the *Official Gazette*:

Mah.
Ord.
III of
2022.

Provided further that, notwithstanding anything contained in the above proviso, the term of office of the President or Vice-President shall be co-terminus with the terms of offices of elected Councilors as provided in section 10."

Power to
remove
difficulty.

3. (1) If any difficulty arises in giving effect to the provisions of the principal Act, as amended by this Ordinance, the State Government may, as occasion arises, by an order published in the *Official Gazette*, do anything not inconsistent with the provisions of the principal Act, as amended by this Ordinance, which appears to it to be necessary or expedient for the purposes of removing the difficulty.

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

STATEMENT

Section 43 of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (Mah. V of 1962) provides that the term of office of the President and Vice-President shall be two and a half years. Section 65 of the said Act provides that, save as otherwise provided in the said Act, the provisions of section 43 shall *mutatis mutandis* apply in relation to the term of the Chairman and Deputy Chairman of a Panchayat Samiti.

2. The tenure of offices of the existing Presidents and Vice-Presidents of the Zilla Parishads and the existing Chairmen and Deputy Chairmen of the Panchayat Samitis in some districts of the State are due to expire soon. The elections to the offices of the said Presiding Authorities of the Zilla Parishads and Panchayat Samitis are required to be carried out by implementing reservation process. It is considered necessary for implementing reservation policy effectively in the State and in the interest of the Zilla Parishads and Panchayat Samitis and their administration, to provide immediately that the State Government may extend the term of the said Presiding Authorities of the Zilla Parishads and Panchayat Samitis upto three months, subject to the provision that the said extended terms of the said Presiding Authorities shall be co-terminus with the terms of the offices of elected councillors as provided in section 10 of the said Act.

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 (Mah. V of 1962) for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,

Dated the 14th July 2022.

BHAGAT SINGH KOSHYARI,

Governor of Maharashtra.

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

RAJESH KUMAR,

Additional Chief Secretary to Government.