



सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ८, अंक ५]

मंगळवार, फेब्रुवारी १, २०२२/माघ १२, शके १९४३

[पृष्ठे ४, किंमत : रुपये २७.००

असाधारण क्रमांक १९

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 Village Panchayats and the Maharashtra Zilla Parishads and Panchayat Samitis (Amendment) Act, 2021 (Mah. Act. No. XIX 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.

MAHARASHTRA ACT No. XIX OF 2022

(First published, after having received the assent of the Governor in the “ *Maharashtra Government Gazette* ”, on the 1st February 2022.)

An Act further to amend the Maharashtra Village Panchayats Act and the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961.

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

AND WHEREAS the Governor of Maharashtra was satisfied that

III of 1959. Mah. V of 1962. Mah. Ord. III of 2021. circumstances existed which rendered it necessary for him to take immediate action further to amend the Maharashtra Village Panchayats Act and the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961, for the purposes hereinafter appearing ; and therefore, promulgated the Maharashtra Village Panchayats and the Maharashtra Zilla Parishads and Panchayat Samitis (Amendment) Ordinance, 2021, on the 23rd September 2021 ;

AND WHEREAS, it is expedient to replace the said Ordinance by an Act of the State Legislature ; it is hereby enacted in the Seventy-second Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

Short title
and com-
mencement.

1. (1) This Act may be called the Maharashtra Village Panchayats and the Maharashtra Zilla Parishads and Panchayat Samitis (Amendment) Act, 2021.

(2) It shall be deemed to have come into force on the 23rd September 2021.

CHAPTER II

AMENDMENTS TO THE MAHARASHTRA VILLAGE PANCHAYATS ACT.

Amendment
of section 10
of III of 1959.

2. In section 10 of the Maharashtra Village Panchayats Act (hereinafter referred to as “the Village Panchayats Act”), in sub-section (2), for clause (c), the following clause shall be substituted, namely :—

III of
1959.

“(c) the seats to be reserved for persons belonging to the category of Backward Class of Citizens shall be upto 27 per cent. of the total number of seats to be filled in by election in a panchayat and the total reservation shall not be more than 50 per cent. of the total seats in the panchayat and such seats shall be allotted by rotation to different wards in a panchayat:

Provided that, in a panchayat comprising entirely the Scheduled Areas, the seats to be reserved for the persons belonging to the Backward Class of Citizens shall be the seats remaining, if any, after reservation of the seats for the Scheduled Tribes and Scheduled Castes:

Provided further that, the reservation for the persons belonging to the Backward Class of Citizens in a panchayat falling only partially in the Scheduled Areas shall be as per the provisions of this clause:

Provided also that, one-half of the total number of seats so reserved shall be reserved for women belonging to the category of Backward Class of Citizens;”.

Amendment of
section 30 of III
of 1959.

3. In section 30 of the Village Panchayats Act, in sub-section (4), for clause (b), the following clause shall be substituted, namely:—

“(b) the offices of *Sarpanchas* to be reserved for the persons belonging to the category of Backward Class of Citizens shall be upto 27 per cent. of the total number of such offices in the *panchayats* and the total reservation shall not be more than 50 per cent. of the total seats in the concerned District:

Provided that, one-half of the offices so reserved shall be reserved for women belonging to the category of Backward Class of Citizens;”.

CHAPTER III

AMENDMENTS TO THE MAHARASHTRA ZILLA PARISHADS AND PANCHAYAT SAMITIS ACT, 1961.

Amendment
of section 12
of Mah. V of
1961.

4. In section 12 of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (hereinafter referred to as “the Zilla Parishads and Panchayat Samitis Act”), in sub section (2), for clause (c), the following clause shall be substituted, namely:—

Mah. V
of 1962.

“(c) the seats to be reserved for the persons belonging to the category of Backward Class of Citizens shall be upto 27 per cent. of the total number of

seats to be filled in by election in a *Zilla Parishad* and the total reservation shall not be more than 50 per cent. of the total seats in the *Zilla Parishad* and such seats shall be allotted by rotation to different electoral divisions in a *Zilla Parishad*:

Provided that, in a *Zilla Parishad* comprising entirely the Scheduled Areas, the seats to be reserved for the persons belonging to the Backward Class of Citizens shall be the seats remaining, if any, after reservation of the seats for the Scheduled Tribes and Scheduled Castes:

Provided further that, the reservation for the persons belonging to the Backward Class of Citizens in a *Zilla Parishad* falling only partially in the Scheduled Areas shall be as per the provisions of this clause:

Provided also that, one-half of the total number of seats so reserved shall be reserved for women belonging to the category of Backward Class of Citizens;”.

5. In section 42 of the Zilla Parishads and Panchayat Samitis Act, in sub-section (4), for clause (b), the following clause shall be substituted, namely :—

Amendment of section 42 of Mah. V of 1962.

“(b) the offices of Presidents to be reserved for persons belonging to the category of Backward Class of Citizens shall be upto 27 per cent. of the total number of such offices in the *Zilla Parishads* and the total reservation shall not be more than 50 per cent. of the total seats in the State:

Provided that, one-half of the offices so reserved shall be reserved for women belonging to the category of Backward Class of Citizens;”.

6. In section 58 of the Zilla Parishads and Panchayat Samitis Act, in sub-section (1B), for clause (c), the following clause shall be substituted, namely: —

Amendment of section 58 of Mah. V of 1962.

“(c) the seats to be reserved for the persons belonging to the category of Backward Class of Citizens shall be upto 27 per cent. of the total number of seats to be filled in by election in a *Panchayat Samiti* and the total reservation shall not be more than 50 per cent. of the total seats in the *Panchayat Samiti* and such seats shall be allotted by rotation to different electoral colleges in a *Panchayat Samiti*:

Provided that, in a *Panchayat Samiti* comprising entirely the Scheduled Areas, the seats to be reserved for the persons belonging to the Backward Class of Citizens shall be the seats remaining, if any, after reservation of the seats for the Scheduled Tribes and Scheduled Castes:

Provided further that, the reservation for the persons belonging to the Backward Class of Citizens in a *Panchayat Samiti* falling only partially in the Scheduled Areas shall be as per the provisions of this clause:

Provided further that, one-half of the total number of seats so reserved shall be reserved for women belonging to the category of Backward Class of Citizens;”.

7. In section 67 of the Zilla Parishads and Panchayat Samitis Act, in sub-section (5), for clause (b), the following clause shall be substituted, namely:—

Amendment of section 67 of Mah. V of 1962.

“(b) the offices of Chairman to be reserved for the persons belonging to the category of Backward Class of Citizens shall be upto 27 per cent. of the total number of such offices in the *Panchayat Samitis* and the total reservation shall not be more than 50 per cent of the total seats in the State:

Provided that, one-half of the offices so reserved shall be reserved for women belonging to the category of Backward Class of Citizens;”.

CHAPTER IV

MISCELLANEOUS

Repeal of
Mah. Ord. III
of 2021 and
saving.

8. (1) The Maharashtra Village Panchayats and the Maharashtra Zilla Parishads and Panchayat Samitis (Amendment) Ordinance, 2021, is hereby repealed.

Mah.
Ord. III
of 2021.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the Maharashtra Village Panchayats Act and the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 as amended by the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of the relevant Acts, as amended by this Act.

III of
1959,
Mah. V
of 1962.