



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ८, अंक ३८(३)]

सोमवार, सप्टेंबर १२, २०२२/भाद्रपद २१, शके १९४४

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असाधारण क्रमांक ८३

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 (Second Amendment) Act, 2022 (Mah. Act No. XLVII 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. XLVII OF 2022.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette" on the 12th September 2022.)

An Act further to amend 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 circumstances existed which rendered 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 ; and, therefore,

Mah. promulgated the Maharashtra Zilla Parishads and Panchayats Samitis
Ord. (Second Amendment) Ordinance, 2022 on the 4th August 2022 ;

VIII of
2022.

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

1. (1) This Act may be called the Maharashtra Zilla Parishads and Panchayat Samitis (Second Amendment) Act, 2022.

Short title and
commencement.

(2) It shall be deemed to have come into force on the 4th August 2022.

(१)

Amendment
of section 9 of
Mah. V of
1962.

2. In section 9 of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (hereinafter referred to as “the principal Act”), in sub-section (1), in clause (a), for the words “not more than eighty-five and not less than fifty-five in number” the words “not more than seventy-five and not less than fifty in number” shall be substituted.

Mah. V
of 1962.

Annulment
of process.

3. Notwithstanding anything contained in the principal Act and the rules, notifications or orders made thereunder, where the process,—

(i) to divide a district into electoral divisions and to determine the number of Councillors to be elected from District, or

(ii) to divide an electoral division into electoral colleges, or

(iii) of reservation of seats of Councillors in the Zilla Parishads and Panchayat Samitis,

is started or completed by the State Election Commissioner, or the State Government, as the case may be, before the date of commencement of the Maharashtra Zilla Parishads and Panchayat Samitis (Second Amendment) Act, 2022, shall be deemed to be annulled and such process shall be done afresh according to the provisions of the principal Act as amended by this Act.

Mah.
XLVII
of 2022.

Power to
remove
difficulties.

4. (1) If any difficulty arises in giving effect to the provisions of the principal Act, as amended by this Act, the State Government may, by an order published in the *Official Gazette*, as the occasion arises, make such provisions not inconsistent with the provisions of the principal Act, as amended by this Act, as may appear to it to be necessary or expedient for the purposes of removing the difficulty :

Provided that, no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(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.

Repeal of
Mah. Ord.
VIII of 2022
and saving.

5. (1) The Maharashtra Zilla Parishads and Panchayats Samities (Second Amendment) Ordinance, 2022, is hereby repealed.

Mah.
Ord.
VIII of
2022.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued), under the corresponding provisions of the principal Act, 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 principal Act, as amended by this Act.