



महाराष्ट्र शासन राजपत्र

प्राधिकृत प्रकाशन

शनिवार, नोव्हेंबर १६, १९७८/कार्तिक २५, शके १९००

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग पाच

महाराष्ट्र विधानसभेत व महाराष्ट्र विधानपरिषदेत सादर केलेली विधेयके

पुढील विधेयके इत्यादी असाधारण राजपत्र म्हणून त्यांच्यापुढे दर्शविलेल्या दिनांकांना प्रसिध्द झाली आहेत :—

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शनिवार, नोव्हेंबर ११, १९७८/कार्तिक २०, शके १९००

The following Bill is published under the second proviso to rule 115(1) of the Maharashtra Legislative Assembly Rules :—

L. A. BILL No. XLIV OF 1978.

A BILL

further to amend the Bombay Home Guards Act, 1947.

Bom. WHEREAS it is expedient further to amend the Bombay Home Guards Act, 1947, III of for the purposes hereinafter appearing; It is hereby enacted in the Twenty-eighth 1947. Year of the Republic of India as follows :—

1. This Act may be called the Bombay Home Guards (Amendment) Act, 1978. Short title.

Bom. 2. After section 2 of the Bombay Home Guards Act, 1947 (hereinafter referred Insertion of III of to as "the principal Act"), the following section shall be inserted, namely:— section 2A in Bom. III of 1947.

"2A. (1) The term of office and other conditions of service of the Com- Term of mandants and the Commandant General shall be such as may be prescribed by the office and conditions of service of Comman- dants and Comman- dant General.

Provided that, while appointing any Commandant or the Commandate General, the State Government may direct that he shall hold office for such period as the State Government may fix in his case.

(2) Notwithstanding anything contained in sub-section (1), the State Government shall have the authority to terminate the services of any Commandant or of the Commandant General, at any time, after giving him one month's notice therefor."

Amendment
of section 8
of Bom. III
of 1947.

3. In section 8 of the principal Act, after clause (b), the following clause shall be inserted, namely :—

“(ba) regulating the term of office and other conditions of service of the Commandants and the Commandant General;”.

STATEMENT OF OBJECTS AND REASONS.

The Commandants and the Commandant General of the Home Guards are appointed by the State Government under sub-sections (2) and (3) of section 2 of the Bombay Home Guards Act, 1947. When honorary officers hold these posts, there is no provision in the Act or the rules made thereunder to regulate their tenure or termination of service or other conditions of service. In the absence of any such provisions elaborate procedure is required to be followed by Government for terminating their services when necessary. It is, therefore, proposed to take suitable powers to Government to make rules and orders to prescribe their tenure, to terminate their services if necessary by giving one month's notice and to regulate their other conditions of service.

2. The Bill is intended to achieve the above objects.

SHARADCHANDRA G. PAWAR,
Chief Minister.

Dated the 11th day of November 1978.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

The Bill involves a proposal for the delegation of legislative power explained below.

2. Under new section 2A and clause (ba) of section 8 proposed to be inserted in the Bombay Home Guards Act, 1947, specific power is being taken to the State Government to make rules to regulate the term of office and other conditions of service of the Commandants and the Commandant General.

3. The proposal is of a normal character.