



महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

बुधवार, मार्च १४, २००७/फाल्गुन २३, शके १९२८

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

भाग आठ

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी 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 Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties (Amendment) Bill, 2007 (L.A. Bill No. XI of 2007), introduced in the Legislative Assembly on the 14th March 2007, is hereby published under the authority of the Governor

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

A. M. SHINDEKAR,
Secretary to Government,
Law and Judiciary Department.

L. A. BILL No. XI OF 2007.

A BILL

to amend the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005.

Mah. XXI of 2006. WHEREAS it is expedient to amend the Maharashtra Government Servants Regulation of Transfer and Prevention of Delay in Discharge of Official Duties Act, 2005, for the purposes hereinafter appearing ; it is hereby enacted in the Fifty-eighth Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties (Amendment) Act, 2007. Short title.

- Amendment of section 1 of Mah. XXI of 2006. **2.** In section 1 of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as "the principal Act"), in sub-section (3), in the proviso, the words and letters "and Chapter III shall not apply to All India Service Officers of the Maharashtra Cadre" shall be deleted. Mah. XXI of 2006.
- Amendment of section 4 of Mah. XXI of 2006. **3.** In section 4 of the principal Act, in sub-section (5), for the words "permission of the immediately preceding Competent" the words "approval of the immediately superior" shall be substituted.
- Amendment of section 6 of Mah. XXI of 2006. **4.** In section 6 of the principal Act, in the TABLE,—
 (a) in entry (b), in column (1), for the words "and all Officers" the words "and all Gazetted Officers" shall be substituted;
 (b) in entry (c), in column (1), for the words and letter "employees in Group "C"" the words and letters "Non-Gazetted employees in Group "B" and "C"" shall be substituted.
- Amendment of section 10 of Mah. XXI of 2006. **5.** In section 10 of the principal Act, in sub-section (2), for the words "disciplinary action under the" the words and figures "disciplinary action under the All India Services (Discipline and Appeal) Rules, 1969, the" shall be inserted.

STATEMENT OF OBJECTS AND REASONS

The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (Mah. XXI of 2006) has been enacted to provide for the regulation of transfers of Government servants and prevention of delay in discharge of official duties. Chapter III of the said Act provides for prevention of delay in discharge of official duties including taking of disciplinary action against defaulting Government servants for any dereliction of official duties. However, All India Service Officers of the Maharashtra Cadre have been exempted from the operation of the said Chapter III.

2. Considering the object behind the enactment of the said Act, the Government of Maharashtra considers it expedient to make applicable the provisions of Chapter III of the said Act to the All India Service Officers of the Maharashtra Cadre by carrying out suitable amendments in sections 1 and 10 of the said Act. As per entry (b) of the Table below section 6 of the said Act, the Minister-in-charge of the Department is the transferring authority for all officers in Group 'B' which includes the Group 'B' Gazetted Officers. The Government considers it expedient to provide that the Minister-in-charge of the Department shall be the transferring authority in respect of Group 'B' Gazetted Officers and the Head of the Department shall be the transferring authority in respect of Non-Gazetted employees in Group 'B' and 'C'. An opportunity is also taken to amend sub-section (5) of section 4 of the said Act so as to make the said sub-section more explicit and self-explanatory.

3. The Bill is intended to achieve the above objectives.

Mumbai,
Dated the 13th March, 2007.

VILASRAO DESHMUKH,
Chief Minister.