

L. A. BILL No. XVII OF 2022.

A BILL

*further to amend the Maharashtra Zilla Parishads and
Panchayat Samitis Act, 1961.*

(As Passed by the Legislative Assembly on the 23rd August, 2022.)

(As Passed by the Legislative Council on the 25th August, 2022.)

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 action further to amend the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961, for the purposes hereinafter appearing ; and, therefore, promulgated the Maharashtra Zilla Parishads and Panchayats Samitis (Second Amendment) Ordinance, 2022 on the 4th August 2022 ;

Mah. V
of 1962.
Mah.
Ord.
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 :-

Short title and commencement.

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

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

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. 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.

Mah. Ord. VIII of 2022. **5. (1) The Maharashtra Zilla Parishads and Panchayats Samities (Second Amendment) Ordinance, 2022, is hereby repealed.** Repeal of Mah. Ord. VIII of 2022 and saving.

(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.

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[L. A. BILL No. XVII OF 2022.]

**[A Bill further to amend the Maharashtra
Zilla Parishads and Panchayat
Samitis Act, 1961.]**

**[SHRI EKNATH SAMBHAJI SHINDE,
Chief Minister.]**

**[As Passed by the Legislative Assembly
on the 23rd August, 2022.]**

**[As Passed by the Legislative Council
on the 25th August, 2022.]**

**RAJENDRA BHAGWAT,
Principal Secretary,
Maharashtra Legislative Council.**