

L. C. BILL No. IX OF 2026.

A BILL

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

5 **(As passed by the Legislative Council on the 23rd June, 2026.)**

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

Mah. XXI of 10 Mah. Ord. V of 2026. 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 Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005, for the purposes hereinafter appearing ; and, therefore, promulgated the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties (Amendment) Ordinance, 2026 on the 27th May 2026;

(G.C.P.) HB 589—1 (505–6-2026)

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

Short title and commencement. **1.** (1) This Act may be called the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties (Amendment) Act, 2026. 5

(2) It shall be deemed to have come into force on the 27th May 2026.

Amendment of section 4 of Mah.XXI of 2006. **2.** In section 4 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 ”),— 10 Mah. XXI of 2006.

(a) in sub-section (4),—

(i) before the existing proviso, the following proviso shall be inserted, namely :—

“Provided that, due to ongoing work relating to Census 2027, the general transfers of Government Servants to be made in the year 2026 shall be made on or before 30th June 2026.” ; 15

(ii) in the existing proviso, for the words “Provided that” the words “Provided further that” shall be substituted ;

(b) sub-section (4A) shall be deleted.

Repeal of Mah. Ord. V of 2026 and saving. **3.** (1) The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties (Amendment) Ordinance, 2026 is hereby repealed. 20 Mah. Ord. V of 2026.

(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, as the case may be, issued under the corresponding provisions of the principal Act, as amended by this Act. 25

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 regulation of transfers of Government Servants and prevention of delay in discharge of official duties. Section 4 of the said Act provides that transfer of Government Servant shall ordinarily be made only once in the year in the month of April or May.

2. The Census 2027 is being conducted throughout India. The first phase of Census 2027 *i.e.*, House Listing and Housing Census is being conducted in the State of Maharashtra from the date 16th May 2026 to 14th June 2026. The Government of India has requested all States and Union Territories not to transfer the Census functionaries appointed for Census 2027. Therefore, for the smooth conduct of the first phase of the Census 2027, it was considered expedient to provide that the general transfers of Government Servants to be made in the year 2026 shall be made on or before the 30th June 2026 by suitably amending section 4 of the said Act.

3. As both Houses of the State Legislature were not in session and the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005, for the purposes aforesaid, the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties (Amendment) Ordinance, 2026 (Mah. Ord. V of 2026), was promulgated by the Governor of Maharashtra on the 27th May 2026.

4. The Bill is intended to replace the said Ordinance by an Act of the State Legislature.

Mumbai,

Dated the 16th June, 2026.

DEVENDRA FADNAVIS,

Chief Minister.

(Mah. XXI of 2006)

Tenure of transfer.

Provided that, transfer may be made any time in the year in the circumstances as specified below, namely :—

(i) to the newly created post or to the posts which become vacant due to retirement, promotion, resignation, reversion, reinstatement, consequential vacancy on account of transfer or on return from leave ;

(ii) where the competent authority is satisfied that the transfer is essential due to exceptional circumstances or special reasons, after recording the same in writing and with the prior approval of the next higher authority.

(4A) Notwithstanding anything contained in sub-section (4), the transfer shall be made upto 31st August 2024, in cases where the transfers were not made due to enforcement of the Model Code of Conduct for General Election to the House of People 2024.

5. to 16. * * * *

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[L. C. BILL No. IX OF 2026.]

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Government Servants Regulation of
Transfers and Prevention of Delay in
Discharge of Official Duties Act, 2005.]**

**[SHRI DEVENDRA FADNAVIS,
Chief Minister.]**

**[As passed by the Legislative Council
on the 23rd June, 2026.]**

**DR. VILAS ATHAWALE,
Secretary-3,
Maharashtra Legislative Council.**