



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ६, अंक १५]

बुधवार, जून ११, २०१४/ज्येष्ठ २१, शके १९३६

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असाधारण क्रमांक ५१

प्राधिकृत प्रकाशन

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, 2014 (L. A. Bill No. XVIII of 2014), introduced in the Maharashtra Legislative Assembly on the 10th June 2014, is hereby published under the authority of the Governor.

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

H. B. PATEL,
Principal Secretary to Government,
Law and Judiciary Department.

L. A. BILL No. XVIII OF 2014.

A BILL

further 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 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; it is hereby enacted in the Sixty-fifth Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Government Servants Short title. Regulation of Transfers and Prevention of Delay in Discharge of Official Duties (Amendment) Act, 2014.

(१)

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, after the words " posts in isolated cadres " the words and figure " , employees in the Police Force constituted under section 3 of the Maharashtra Police Act including the Indian Police Service Officers of the Maharashtra Cadre " shall be inserted.

Mah.
XXI of
2006.

XXII of
1951.

Amendment
of section 2
of Mah. XXI
of 2006.

2. In section 2 of the principal Act, in clause (f), after the words " the Judiciary " the words and figures " but does not include the employees in the Police Force constituted under section 3 of the Maharashtra Police Act and the Indian Police Service Officers of the Maharashtra Cadre so far as the application of the provisions of Chapter II are concerned " shall be added.

XXII of
1951.

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 II of the said Act, which deals with tenure of postings and transfers and the Competent Transferring Authorities applies to the Police Personnel in the State Police Force including the Indian Police Service Officers of the Maharashtra cadre.

2. In view of the Judgment of the Hon'ble Supreme Court in *Prakash Singh and Others Vs. Union of India*, dated the 22nd September 2006 [reported in (2006) 8 SCC 2], the Maharashtra Police Act (XXII of 1951) has been amended to constitute the Establishment Boards at various Levels to deal with the issues of transfers, postings and other service related matters of Police Personnel in the State Police Force including the Indian Police Service Officers of the Maharashtra cadre. Considering the said amendments in the Maharashtra Police Act, the Government considers it expedient to amend the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (Mah. XXI of 2006), consequentially, so as to take the Police Personnel in the State Police Force including the Indian Police Service Officers of the Maharashtra cadre out of the purview of the provisions of the said Chapter II thereof.

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

Mumbai,
Dated the 9th June 2014.

PRITHVIRAJ CHAVAN,
Chief Minister.