



महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

वर्ष ३, अंक ५४(२)]

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असाधारण क्रमांक १०४

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि 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 Prohibition (Amendment) Ordinance, 2017 (Mah. Ord. XV of 2017), is hereby published under the authority of the Governor.

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

N. J. JAMADAR,
Principal Secretary and R.L.A. to Government,
Law and Judiciary Department.

(Translation in English of the Maharashtra Prohibition (Amendment) Ordinance, 2017 (Mah. Ord. XV of 2017), published under the authority of the Governor).

HOME DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 17th July 2017.

MAHARASHTRA ORDINANCE No. XV OF 2017.

AN ORDINANCE

further to amend the Maharashtra Prohibition Act.

WHEREAS, both Houses of the State Legislature are not in session ;

AND WHEREAS the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate

action further to amend the Maharashtra Prohibition Act, for the purposes
XXV of 1949. hereinafter appearing ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgate the following Ordinance, namely :—

Short title and commencement.

1. This Ordinance may be called the Maharashtra Prohibition (Amendment) Ordinance, 2017.

(2) It shall come into force at once.

Amendment of section 134A of XXV of 1949.

2. In section 134A of the Maharashtra Prohibition Act, in sub-section XXV of 1949. (2), in clause (c), for the words “Tahsildar of the area” the following shall be substituted, namely :—

“Tahsildar or any officer not below the rank of Group-B Officer of the State Government authorised by the Tahsildar of the area.”.

STATEMENT

To deal effectively, *inter alia*, with cases in respect of illegal distillation, storage, use and consumption of alcohol, a provision for establishment of the *Gram Rakshak Dal* was made in the Maharashtra Prohibition Act (XXV of 1949). Clause (a) of sub-section (2) of section 134A of the said Act provides that, the Sub-Divisional Magistrate of the area on receipt of request under sub-section (1) shall call the special meeting of the *Gram Sabha* for establishment of *Gram Rakshak Dal*. Clause (c) thereof provides that, the meeting of such *Gram Sabha* shall be conducted in the presence of the Tahsildar of the area.

While, implementing the provisions of the said Act, it has been noticed that, considering the work load of Tahsildar, it is not possible for him to conduct the meeting of special *Gram Sabha* of each village of the Taluka, convened for establishment of the *Gram Rakshak Dal*. To ensure effective implementation of the provisions of the said section, it is expedient to provide that, the meeting of such *Gram Sabha* shall be conducted in the presence of the Tahsildar or any officer not below the rank of Group-B Officer of the State Government, authorised by the Tahsildar of the area. It is, therefore, proposed to amend section 134A of the Maharashtra Prohibition Act, suitably.

2. As both Houses of the State Legislature are not in session and the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action, further to amend the Maharashtra Prohibition Act, for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,
Dated the 16th July 2017.

CH. VIDYASAGAR RAO,
Governor of Maharashtra.

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

VALSA NAIR SINGH,
Principal Secretary to Government.