L. A. BILL No. VI OF 2022.

A BILL

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

Whereas, it is expedient further to amend the Maharashtra Village Panchayats Act and the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961, for the purposes hereinafter appearing; it is hereby enacted in the Seventy-third Year of the Republic of India as follows:—

(1)
CHAPTER I
Preliminary.

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

CHAPTER II
Amendment to the Maharashtra Village Panchayats Act.

2. In section 10 of the Maharashtra Village Panchayats Act, in sub-section (1), in clause (b), for the words “State Election Commission” the words “State Government” shall be substituted.

CHAPTER III

3. In section 9 of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (hereinafter referred to as “the Zilla Parishads and Panchayat Samitis Act”), in sub-section (1), in clause (a), for the words “State Election Commission” the words “State Government” shall be substituted.

4. In section 12 of the Zilla Parishads and Panchayat Samitis Act, in sub-section (1), for the words “State Election Commission” the words “State Government or an officer authorized by it” shall be substituted.

5. In section 58 of the Zilla Parishads and Panchayat Samitis Act, in sub-section (1), in clause (a), for the words “State Election Commission” the words “State Government or an officer authorized by it” shall be substituted.

CHAPTER IV
Miscellaneous.

6. Notwithstanding anything contained in the Maharashtra Village Panchayats Act and the Zilla Parishads and Panchayat Samitis Act and the rules made thereunder, where the process,—

(i) to divide a village into wards and to determine number of members of Panchayat to be elected from each ward;

(ii) to divide a district into electoral divisions and to determine the number of councillors to be elected from each electoral division, or

(iii) to divide an electoral division into electoral colleges,

is started or completed by the State Election Commission, before the date of commencement of the Maharashtra Village Panchayats and Maharashtra Zilla Parishads and Panchayat Samitis (Amendment) Act, 2022, such process shall be deemed to be annulled; and the process to divide the wards, electoral divisions or electoral colleges and determination of number of members of panchayat or councillors of Zilla Parishads to be elected from each ward or electoral division shall be done afresh according to the provisions of the Maharashtra Village Panchayats Act and the Zilla Parishads and Panchayat Samitis Act, as amended by this Act.
STATEMENT OF OBJECTS AND REASONS

Section 10 of the Maharashtra Village Panchayats Act (III of 1959) provides for division of each village into wards for the purposes of election of members of Panchayats by the State Election Commission. Sections 12 and 58 of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (Mah. V of 1962) contains provisions for division of district and electoral divisions for the purposes of elections of the Zilla Parishads and Panchayat Samitis by the State Election Commission.

2. Considering the growth of population in rural area, maximum and minimum of number of elected councillors of Zilla Parishad has been increased to eighty-five and fifty-five, respectively, by the Maharashtra Zilla Parishads and Panchayat Samitis (Amendment) Act, 2021 (Mah. XVIII of 2022). The increase in maximum and minimum number of councillors necessitates re-formation of electoral divisions. With a view to implement the provisions brought by the said Amendment Act effectively, the Government considers it expedient to take power to the State Government for re-formation of electoral divisions and electoral colleges of the said local bodies. Similarly, it is also proposed to take power to the State Government for re-formation of the wards of the Panchayats. It is, therefore, proposed to amend section 10 of the Maharashtra Village Panchayats Act and sections 9, 12 and 58 of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961, suitably.

It is also proposed to annul the process for dividing the area of the said local bodies in wards, electoral divisions or electoral colleges thereof, started or completed by the State Election Commission before the commencement of the proposed amendments.

3. The Bill seeks to achieve the above objectives.

Mumbai,
Dated the 5th March, 2022.

HASAN MUSHRIF,
Minister for Rural Development.

Vidhan Bhavan :
Mumbai,

RAJENDRA BHAGWAT,
Principal Secretary,
Maharashtra Legislative Assembly.