



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष १०, अंक २५]

गुरुवार, ऑगस्ट २९, २०२४/भाद्रपद ७, शके १९४६

[पृष्ठे ३, किंमत : रुपये २७.००

असाधारण क्रमांक ६६

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्राख्यापित 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 Transfer and Prevention of Delay in Discharge of Official Duties (Amendment) Ordinance, 2024 (Mah. Ord VI of 2024), is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,
Secretary (Legislation) to Government,
Law and Judiciary Department.

[Translation in English of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties (Amendment) Ordinance, 2024 (Mah. Ord. VI of 2024), published under the authority of the Governor].

GENERAL ADMINISTRATION DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 29th August 2024.

MAHARASHTRA ORDINANCE No. VI OF 2024.

AN ORDINANCE

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

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 Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005, for the purposes 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
commence-
ment.

1. (1) This Ordinance may be called the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties (Amendment) Ordinance, 2024.

(2) It shall come into force at once.

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, after sub-section (4), the following sub-section shall be inserted, namely :—

Mah.
XXI of
2006.

“(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.”.

STATEMENT

The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (Mah. XXI of 2006) (hereinafter referred to as “the said Act”) has been enacted to provide for regulation of transfers of Government Servants and prevention of delay in discharge of official duties. Section 3 of the said Act provides for tenure of posting wherein it is provided that, tenure in a post of All India Service Officers and all Groups A, B and C State Government Servants and employees shall be three years. Section 4 of the said Act provides for tenure of transfer wherein sub-section (4) provides that transfer of Government Servant shall ordinarily be made only once in the year in the month of April or May.

2. The Election Commission of India had made applicable the Model Code of Conduct, for the General Elections to the House of the People (Lok Sabha) 2024, from the 16th March 2024 and the said was in force till 4th June 2024.

3. Due to enforcement of the said Model Code of Conduct, the transfers of Government Servants were not made. Therefore, it is considered expedient to extend the said period for general transfers up to 31st August 2024, by amending section 4 of the said Act, suitably.

4. 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 Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005, for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,

Dated the 29th August 2024.

C. P. RADHAKRISHNAN,

Governor of Maharashtra.

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

V. RADHA,

Additional Chief Secretary
to Government.