



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ३, अंक २०]

सोमवार, फेब्रुवारी २७, २०१७/फाल्गुन ८, शके १९३८

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असाधारण क्रमांक ३७

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

OFFICE OF THE SECRETARY TO THE GOVERNOR OF MAHARASHTRA

Raj Bhavan, Mumbai 400 035, dated the 27th February 2017.

PREAMBLE

CONSTITUTION OF INDIA.

No. RB/TC/e-13012(1)(2015)/Notification/238/2017.—The following notification issued by the Governor of Maharashtra is published for the general information :—

Whereas, under sub-paragraph (1) of paragraph 5 of the Fifth Schedule to the Constitution of India, the Governor may, by public notification, direct that any particular Act of Parliament or of Legislature of the State shall not apply to a Scheduled Area referred to in clause (1) of Article 244 of the Constitution of India or any part thereof in the State or shall apply to a Scheduled Area or any part thereof in the State subject to the exceptions and modifications specified in the notification ;

And Whereas, by Notification No. RB/TC/e-11019(89)(2013)/Notification-4/1120/2014, dated 30th October 2014 (hereinafter referred to as “the said Notification”), issued in exercise of the powers conferred by sub-paragraph (1) of Paragraph 5 of the Fifth Schedule to the Constitution of India, the Governor of Maharashtra made modifications to the Maharashtra Village Panchayats Act, (III of 1959) (hereinafter referred to as “ Village Panchayats Act”);

And Whereas, the State Government has taken a decision to re-classify the Plan Expenditure and non-Plan Expenditure from Financial Year 2017-18 as per the guidelines of Central Government ;

And Whereas, by Government Resolution dated 27th January 2017, the State Government has issued comprehensive guidelines in this context ;

And Whereas, by the said Government Resolution, the Tribal Sub-Plan would now be called as “Tribal Component Schemes”;

And Whereas, by the said Notification, a new clause (o) has been inserted after clause (n) in Section 54B of the Village Panchayats Act, providing that not less than 5% of the total Tribal Sub-Plan funds of the respective annual tribal Sub-Plan shall be devolved to the Gram Panchayats in Scheduled Areas in proportion to their population ;

And Whereas, on the request of the Tribal Development Department, by Notification dated 13th April 2016, the Village Panchayats Act (III of 1959) has been further amended so as to ensure that the formula for devolution shall be as per proportion of Scheduled Tribe Population in the Gram Panchayats ;

And Whereas, as the TSP has been reclassified, there is a necessity to redefine devolution of 5% funds as a percentage of Tribal Component Schemes ;

Now, therefore, in exercise of the powers conferred by sub-paragraph (1) of Paragraph 5 of the Fifth Schedule to the Constitution of India, the Governor of Maharashtra hereby amends the Village Panchayats Act, as follows, namely :—

NOTIFICATION

In exercise of the powers conferred by sub-paragraph (1) of Paragraph 5 of the Fifth Schedule to the Constitution of India, the Governor of Maharashtra hereby directs that the Maharashtra Village Panchayats Act (III of 1959) shall apply to the Scheduled Areas referred to in clause (1) of article 244 of the Constitution with the following further modifications, namely :—

PART III

Modifications to the Maharashtra Village Panchayats Act

In the Maharashtra Village Panchayats Act, (III of 1959), in Section 54B, in clause (o), as inserted by the Notification dated the 30th October 2014 and amended by Notification dated the 13th April 2016,—

(i) for the words “Tribal Sub-Plan” at both the places, including in the first proviso, the words “Tribal Component Schemes” shall be substituted ;

(ii) for the words “ of the respective annual plan ” the words “ as outlined in the Annual Financial Statement each year ” shall be substituted.

CH. VIDYASAGAR RAO,
Governor of Maharashtra.

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

B. VENUGOPAL REDDY,
Secretary to Governor.