

श्री-सिकंदर / ०१.१८
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GOVERNMENT OF MAHARASHTRA

THE MAHARASHTRA GOVERNMENT RULES OF BUSINESS AND INSTRUCTIONS ISSUED THEREUNDER

(As modified upto 6th March 1990)

GENERAL ADMINISTRATION DEPARTMENT (O. & M.), MANTRALAYA
BOMBAY 400 032

**THE MAHARASHTRA GOVERNMENT RULES OF BUSINESS
GENERAL ADMINISTRATION DEPARTMENT**

Sachivalaya, Bombay 400 032, dated the 26th June 1975

CONSTITUTION OF INDIA

No. ROB-1075 / O. & M.—In exercise of the powers conferred by clauses (2) and (3) of Article 166 of the Constitution of India and in supersession of all previous rules made in this behalf, the Governor of Maharashtra is pleased to make the following rules namely :—

1. (a) These rules may be called the Maharashtra Government Rules of Business.
(b) They shall come into force on the 1st day of July 1975.
2. In these rules, unless the context otherwise requires—
 - (a) "Article" means an Article of the Constitution of India ;
 - (b) "Council" means the council of Ministers constituted under Article 163 ; and
 - (c) "Schedule" means a Schedule appended to these Rules.
3. The General Clauses Act, 1897 (10 of 1897) applies for the interpretation of these rules as it applies for the interpretation of a Central Act.
4. The Business of the Government shall be transacted in the Departments specified in the First Schedule and shall be classified and distributed between those Departments as laid down therein.
5. The Governor shall on the advice of the Chief Minister allot among the Ministers the business of the Government by assigning one or more Departments or part of Departments to the charge of a Minister :
Provided that, nothing in this rule shall prevent the assigning of one Department to the charge of more than one Minister.
6. The Chief Minister and a Minister in consultation with the Chief Minister may allot to a Minister of State or a Deputy Minister any business appertaining a Department or part of a Department.
- 6-A. When the Chief Minister is unable to discharge his functions owing to absence, illness, or for any other cause, the Chief Minister may direct any other Minister to discharge all or any of his functions during his absence. When any Minister is likewise unable to discharge his functions, the Chief Minister may direct any other Minister to discharge all or any of the functions of the Ministers during the Minister's absence.
7. Each Department of the Mantralaya shall consist of the Secretary to the Government, who shall be the official head of that Department and or such other officers and servants subordinate to him as the State Government may determine :
Provided that,—
 - (a) more than one Department may be placed in charge of the same Secretary ;
 - (b) the work of a Department may be divided between two or more Secretaries.
8. The Council shall be collectively responsible for all advice tendered to the Governor whether by an individual Minister on a matter appertaining his portfolio or as the result of discussion at a meeting of the Council or howsoever otherwise.
9. All cases referred to in the Second Schedule shall be brought before the Council—
 - (i) by the direction of the Governor under clause (c) of Article 167 ;
 - (ii) by the direction of—
 - (a) the Chief Minister ; or
 - (b) the Minister-in-charge of the case with the consent of the Chief Minister :
Provided that, no case in regard to which the Finance Department is required to be consulted under rule 11 shall, save in exceptional circumstances under the directions of the Chief Minister, be discussed by the Council unless the Finance Minister has had opportunity for its consideration.

10. (1) Without prejudice to the provisions of rule 8, the Minister-in-charge of a Department shall be primarily responsible for the disposal of the business appertaining that Department or part of the Department.

(2) Every Minister, every Minister of State, every Deputy Minister and every Secretary shall transmit to the Chief Minister all such information with respect to the business of the Government as the Chief Minister may from time to time require to be transmitted to him.

11. (1) No Department shall without previous consultation with the Finance Department authorise any order (other than orders pursuant to any general delegation made by the Finance Department) which—

(a) either immediately or by their repercussion, will affect the finance of the State, or which, in particular—

(i) involve any grant of land or assignment of revenue or concession, grant lease or licence of mineral or forest rights or a right to water power or any easement or privilege in respect of such concession ; or

(ii) in any way involve any relinquishment of revenue ;

(b) relate to the number or grading or cadre of post or the employments or other conditions of service or posts.

(2) No proposal which requires the previous consultation of the Finance Department under sub-rule (1) but in which the Finance Department has not concurred, may be proceeded with unless a decision to that effect has been taken by the Council.

(3) No appropriation shall be made by any Department other than the Finance Department, except in accordance with such general delegation as the Finance Department may have made.

(4) Except to the extent that power may have been delegated to the Departments under rules approved by the Finance Department, every order of an Administrative Department conveying a sanction to be enforced in audit shall be communicated to the audit authorities by the Finance Department.

(5) Nothing in this rule shall be construed as authorising any Department including the Finance Department, to make reappropriations from the grant specified in the Appropriation Act to another such grant.

12. All orders or instruments made or executed by or on behalf of the Government of the State shall be expressed to be made by or by order of or executed in the name of the Governor.

13. Every order or instrument of the Government of the State shall be signed either by a Secretary, an Additional Secretary, a Joint Secretary, a Deputy Secretary, an Under Secretary or an Assistant Secretary or such other officer as may be specially empowered in that behalf and such signature shall be deemed to be proper authentication of such order or instrument.

14. The Secretary of the Department concerned is in each case responsible for the careful observance of these rules and when he considers that there has been any material departure from them, he shall personally bring the matter to the notice of the Minister-in-charge and the Chief Secretary.

15. These Rules may to such extent as necessary be supplemented by instructions to be issued by the Governor on the advice of the Chief Minister.

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

D. D. SATHE,
Chief Secretary to Government.

FIRST SCHEDULE

(See Rule 4)

1. General Administration Department.
2. Home Department.
3. Revenue and Forests Department.
4. * Agriculture, Animal Husbandry, Dairy Development and Fisheries Department.
* Substituted by G. N. dated 27th February 1989.
5. * Education Department.
* Substituted by G. N. dated 17th April 1980.
6. * Urban Development Department
* Substituted by G. N. dated 24th August 1982.
7. Finance Department.
8. * Public Works Department.
* Substituted by G. N. dated 22nd October 1980.
9. Irrigation Department.
10. Law and Judiciary Department.
11. Industries, Energy and Labour Department.
12. Rural Development Department.
13. Food and Civil Supplies Department.
14. Planning Department.
15. Social Welfare, Cultural Affairs, Sports and Tourism Department.
16. * Parliamentary Affairs Department.
* Substituted by G. N. dated 30th June 1987.
17. * Housing and Special Assistance Department.
* Added by G. N. dated 22nd October 1980.
18. * Deleted by G. N. dated 2nd December 1986 viz.
"Horticulture and Social Forestry Department" which was added by G. N. dated 30th June 1981.
19. * Public Health Department.
* Added by G. N. dated 24th August 1982 and renumbered by G. N. dated 1st December 1982.
20. * Medical Education and Drugs Department.
* Added by G. N. dated 24th August 1982 and renumbered by G. N. dated 1st December 1982.
21. * Tribal Development Department.
* Added by G. N. dated 22nd April 1983.
22. * Environment Department.
* Added by G. N. dated 30th April 1985.
23. * Co-operation and Textiles Department.
* Added by G. N. dated 27th February 1989.

SECOND SCHEDULE

(See Rule 9)

1. Proposals for the appointment or removal of the Advocate General or for determining or varying the remuneration payable to him.
2. Proposals to summon, prorogue or dissolve the Legislature of the State.
3. * Deleted by G. N. of 14-10-1986.
4. Decision on question arising as to whether a member of a House of the Legislature of the State has become subject to any disqualification under Article 191 and any proposals to refer such questions for the opinion of the Election Commissioner any proposal to recover or to waive recovery of the penalty due under Article 193.
5. The annual financial statements to be laid before the legislature and demands for supplementary, additional or excess grants.
6. Proposals relating to rules to be made under Article 208, clause (3).
7. Proposals for the making or amending of rules under Article 234.
8. Proposals for the making or amending of rules under Article 237.
9. Any proposal involving any action for the dismissal, removal or suspension of a Member of the Public Service Commission.
10. Proposals for making or amending regulations under Article 319 or under the proviso to clause (3) of Article 320.
11. Report of the Public Service Commission on its work Article 323 (2) and any action proposed to be taken with reference thereto.
12. Proposals for Legislation including the issue of an ordinance under Article 213 of the Constitution.
13. Cases in which the attitude of the Government to any Resolution or Bill to be moved in the Legislature is to be determined.
14. ** Proposals for the imposition of a new tax or any change in the method of assessment or the pitch of any existing tax or land revenue or irrigation rates or the raising of loans on the security of revenue of the State.
** In this entry the portion, "namely or for giving of a guarantee by the Government of State in respect of loans exceeding rupees ten lakhs." deleted by G. N. of 2-2-1977.
15. Any proposal which affects the finance of the State which has not the consent of the Finance Minister.
16. Any proposals for re-appropriation to which the consent of the Finance Minister is required and has been withheld.
17. Proposals involving the alienation either temporary or permanent by way of sale, grant or lease of Government property exceeding Rs. 50,000 in value or the abandonment or reduction of a recurring revenue exceeding that amount or the abandonment or reduction of a non-recurring revenue exceeding rupees five lakhs except when such alienation sale, grant or lease of Government property is in accordance with the rules or with a general scheme already approved by the Council.
18. The annual audit review of the Finance of the State and the report of the Public Accounts Committee.
19. Proposals involving any important change of policy or practice.
20. Proposed circulars embodying important changes in the administrative system of the State.
21. Any proposal for the withdrawal or a prosecution by Government against the advice tendered by the Legal Department.
22. Proposals for the creation of any Public Office the maximum remuneration of which exceeds Rs. 1,600 and the duration of which exceeds three months and proposals for the abolition of such office.
23. Proposals involving any important alternations in the condition of service of the members of any All India Service or the State Service or in the method of recruitment to the Service or post to which appointment is made by the Government.
24. Report of the Committee of Inquiry appointed by the Government on its own initiative or in pursuance of a resolution passed by the State Legislature.
25. Proposals for appointment inconsistent with the recommendation of the Public Service Commission.
26. Cases required by the Chief Minister to be brought before the Council.
27. Cases which affect or are likely to affect the good Government of scheduled areas.
28. Cases which affect or are likely to affect the rights and privileges of any Rulers as provided under Article 362.

INSTRUCTIONS REGARDING THE BUSINESS OF THE GOVERNMENT ISSUED UNDER RULE 15 OF THE MAHARASHTRA GOVERNMENT RULES OF BUSINESS MADE UNDER ARTICLE 166 OF THE CONSTITUTION OF INDIA

In exercise of the powers conferred on him by rule 15 of the Maharashtra Government Rules of Business made by him under article 166 of the Constitution of India the Governor of Maharashtra is pleased to issue the following instructions for the more convenient transaction of the business of the Government of Maharashtra, namely :—

PART I DEFINITIONS

1. In this Instructions unless the context otherwise requires—
 - (i) "article" means an article of the Constitution of India ;
 - (ii) "Cabinet" means the Cabinet as provided in Instruction 2 ;
 - (iii) "Case" includes the papers under consideration and all previous papers and notes put up in connection therewith to enable the question raised therein to be disposed of ;
 - (iv) "Council" means the Council of Ministers constituted under article 163 ;
 - (v) "Minister-in-charge" means the Minister appointed by the Governor to be in charge of the department of Government to which a case belongs ;
 - (vi) "Rules" means the rules made by the Governor under article 166 of the Constitution ;
 - (vii) "Schedule" means a Schedule appended to the Rules ;
 - (viii) "Secretary" means a Secretary to the Government of Maharashtra and includes an Additional Secretary, a Joint Secretary, a Deputy Secretary, an Under Secretary and an Assistant Secretary.

2. Matters to be brought before such Ministers as the Chief Minister directs under Rule (9)(ii) shall be brought before the Cabinet which shall consist of all the Ministers, but shall not include * Ministers of State and Deputy Ministers :

Provided that, the Chief Minister may invite any * Minister of State or any Deputy Minister to attend any meeting of the Cabinet but such Minister of State or Deputy Minister shall not thereby be deemed to be a member of the Cabinet.

* The words "Minister of State" added *vide* General Administration Department, Order No. ROB-1169 (O. & M.), dated the 27th October 1969.

3. (1) A case shall be deemed to belong to a department to which under the Schedule to the Rules, the subject matter thereof pertains or it mainly related.

(2) If any question arises regarding the department to which a case belongs, the decision of the Minister-in-charge of the Department concerned, if all such departments are in charge of the same Minister, shall be final. If such departments are in charge of different Ministers, who, after discussion, are unable to agree as to the department to which the case belongs, the Chief Minister shall decide the question.

PART II GENERAL

4. Except as otherwise provided in these Instructions, cases shall ordinarily be disposed of by, or under the authority, of the Minister-in-charge, who may by means of standing orders give such direction as he thinks fit for the disposal of cases in the Department. Copies of such standing orders shall be sent to the Governor and the Chief Minister.

5. Each Minister shall arrange with the Secretary of the Department what matters or classes of matters are to be brought to his personal notice.

6. Except as otherwise provided in these instructions, cases shall be submitted by the Secretary in the Department to which the case belongs to the Minister-in-charge.

7. A weekly list containing copies of the orders issued in all cases disposed of by the Secretary without reference to the Minister-in-charge shall be tabulated and submitted to the Minister-in-charge. The Minister may

send for any case entered in such list, and may take action which he considers necessary with reference to it in accordance with the Rules and these Instructions.

8. (1) Subject to the Rules and the other provisions in these Instructions, the Minister-in-charge may dispose of all cases arising in departments which he controls.

(2) When a difference of opinion arises on any question between departments which the same Minister controls, the Minister may decide the question.

9. Where the subject of a case concerns more than one Department, then, unless the case is one of extreme urgency, no order shall be issued nor shall the case be laid before the Council or Cabinet until it has been considered by all the Departments concerned.

10. If the Departments concerned are not in agreement regarding any case dealt with under Instruction 9, the Minister-in-charge of the Department may, if he wishes to proceed with the case, direct that the case be submitted to the Chief Minister for orders for laying the case before the Council or the Cabinet.

11. Subject to the provisions of Instruction 55—

(1) where the Chief Minister desires to see papers relating to any case in any Department any requisition made by the Chief Minister in that behalf shall be complied with by the Secretary in the Department in which the case belongs ;

(2) where a Minister,* Minister of State or a Deputy Minister desires to call for papers belonging to another Department he shall personally address a requisition for the papers to the Minister-in-charge of that Department ; and if papers are urgently required, to the Secretary in the Department to which the case belongs. In either case, the Secretary shall submit the papers to the Minister-in-charge of his department, who will decide whether the papers should be shown to the Minister, Minister of State or Deputy Minister, who has called for the papers. Before he decides to withhold the papers, he should show them to the Chief Minister and take his instruction in the matter.

* The words "Minister of State" added *vide* General Administration Department, Order No. ROB-1169 (O. & M.), dated 27th October 1969.

(3) The Chief Secretary may ask to see papers relating to any case in any Department, and any such requisition shall be complied with by the Secretary in the Department concerned.

12. Any matter in which a difference of opinion arises or is likely to arise between any department and the Maharashtra Legislature Secretariat shall be brought to the notice of the Chief Minister through the Minister-in-charge.

13. All communications received from the Government of India (including those from the Prime Minister and other Ministers of the Union), other than those of a routine or unimportant character shall as soon as possible after receipt be submitted by the Secretary to the Minister-in-charge, and copies thereof shall be forwarded immediately to the Governor and the Chief Minister and the Minister-in-charge.

14. Any matter likely to bring the State Government into controversy with the Government of India or with any other State Government shall, as soon as the possibility of such a controversy is noticed be brought to the notice of the Governor and the Chief Minister and the Minister-in-charge.

15. (1) **The following classes of cases shall be submitted to the Chief Minister before the issue of orders, that is to say :—**

- (i) Proposals for the grant of pardons, reprieves, respites or remissions of punishment or for the suspension, remission or commutation of a sentence in pursuance of Article 161 ;
- (ii) Cases raising question of policy and cases of administrative importance not already covered by the Second Schedule to the Rules ;
- (iii) Cases which affect or are likely to affect the peace and tranquility of the State ;
- (iv) Cases which affect or are likely to affect the interests of the scheduled castes, scheduled tribes and backward classes ;
- (v) Cases relating to the Maharashtra Legislature Secretariat which, in the opinion of the Department dealing with them are of sufficient importance ;
- (vi) Case which affect the relations of the State Government with the Government of India, any other State Government, the Supreme Court or the High Court ;

(vii) Constitution of an Advisory Board under Article 22 (4) (a) for the detention of persons without trial ;

* (viii) Proposals for any disciplinary action against,—

- (a) officers of All India Services ;
 - (b) officers of and above the rank of Divisional or Regional Heads of Departments ;
 - (c) Managing Directors of various Corporations ; and
 - (d) Class I officers drawing pay in a scale the minimum of which is Rs. 1,500 and above ;
- * *Vide* General Administration Department, Order No. ROB-1086 / 67 / XVIII (O. & M.), dated the 24th January 1987.

(ix) Proposals for appointment, posting and transfer of officers of All India and Class-I Service (except appointment of Deputy Collectors as Special Officers for conducting departmental enquiries) and such other officers as may be specified from time to time by special or general order ;

** *Vide* General Administration Department, Order No. ROB-1288 / 39 / XVIII (O. & M.), dated the 27th March 1989.

- (x) Proposals to nominate members of the Legislative Council under Article 171(3)(e) ;
- (xi) Proposals for the provision of representation to the Anglo-Indian Community (Article 333) ;
- (xii) Any communication from the Election Commission, especially with reference to its requirements as to staff and action proposed to be taken thereon ;
- (xiii) Any proposals for the institution of a prosecution by Government against the advice tendered by the Law and Judiciary Department ;
- (xiv) Any departure from the rules and these Instructions, which comes to the notice of the Chief Secretary or the Secretary in any Department ;
- (xv) Appointment of the Chief Secretary ;
- (xvi) Proposed rules affecting the pay, allowances, or pension payable to or in respect of officers appointed by the Secretary of State and Officers of the All India Services ;
- (xvii) Cases pertaining to the Governor's personal establishment and matters pertaining to the residence of the Governor ;
- (xviii) Proposals for the appointment of Chairman, Members and Secretary of the State Public Service Commission ;
- (xix) Cases relating to the application of the Acts of Parliament or the State Legislature to the Scheduled Areas and the making of regulations for the peace and good Government of those areas ;
- (xx) Cases relating to amendments to High Court rules or orders ;
- (xxi) Cases pertaining to resignation and appointment of High Court Judges ;
- (xxii) Promulgation of statutory rules and amendments to each existing rules, whether made by Government or by a subordinate authority ;
- (xxiii) * Deleted *vide* General Administration Department, Order No. ROB-1089 / 24 / XVIII (O. & M.), dated the 19th January 1990.
- (xxiv) * Cases relating to grant of land and relating to alienation of lands ;
- * *Vide* General Administration Department, Order No. ROB-1080 / 150 / XVIII, dated the 28th August 1980.
- (xxv) * Cases relating to co-ordination and supervision of State Public Sector Undertakings and Constitution of Steering Committee therefor ;
- * *Vide* General Administration Department, Order No. ROB-1080 / 164 / XVIII, dated the 12th June 1981.
- (xxvi) * Deleted *vide* General Administration Department, Order No. ROB-1058 / 57 / XVIII (O. & M.), dated the 17th January 1989 ;
- (xxvii) * Cases relating to allotment of tenements available to Government under the Urban Land (Ceiling and Regulation) Act, 1976 and of those reserved for allotment by Government under the Regulations made under the Maharashtra Housing and Area Development Act, 1976.
- * *Vide* General Administration Department, Order No. ROB-1082 / 86 / XVIII (O. & M.), dated the 14th September 1982.

(2) The following classes of cases shall be submitted by the Chief Minister to the Governor before the issue of orders :—

- (i) * Proposals for grant of pardons, reprieves, respites or remissions of punishments or for suspension, remission or commutation of a sentence in pursuance of article 161 of the Constitution of India which in the opinion of the Chief Minister should be submitted to the Governor before the issue of orders (other cases shall be submitted to the Governor after issue of orders).
* Vide General Administration Department, Order No. ROB-1170 (O. & M.), dated the 9th June 1970 ;
- (ii) Cases which affect or are likely to affect the peace and tranquility of the State :
Provided that, if owing to extreme urgency previous submission of any such case is, in the opinion of the Chief Minister, likely to involve undue delay, such case shall be submitted to the Governor after the issue of orders ;
- (iii) Cases which affect the relations of the State Government with the Government of India, any other State Government, the Supreme Court or the High Court ;
- (iv) Cases pertaining to the Governor's personal establishment and matters pertaining to the residence of the Governor ;
- (v) Proposals for the appointment, resignation and removal of the Advocate General for the States ;
- (vi) Cases relating to the nomination of members to either House of the State Legislature ;
- (vii) Cases pertaining to the summoning or prorogation of the House or either House of the State Legislature or dissolution of the Legislative Assembly ;
- (viii) Cases pertaining to the Governor's address and messages to the House or Houses of the Legislature of the State ;
- (ix) Cases pertaining to the disqualifications of members of a House of the State Legislature ;
- (x) Cases relating to presentation of Bills passed by both Houses of the Legislature of the State to the Governor for assent ;
- (xi) Cases pertaining to the recommendation of the Governor for presentation to the House or Houses of the Legislature of the State of Annual Financial Statements and Statements relating to supplementary, additional or excess grants and Appropriation Bills ;
- (xii) Cases pertaining to the promulgation and withdrawal of Ordinances ;
- (xiii) Proposals for the appointment and resignation of the Chairman, Members and Secretary of the State Public Service Commission and cases relating to the appointment of the member of the Commission to perform the duties of the Chairman under clause (1A) of article 346 ;
- (xiv) Cases relating to the application or non-application of acts of Parliament or of the State Legislature to the Scheduled Areas of the State, and the making of regulations for the peace and good Government of those Areas ;
- (xv) Cases relating to recommendation or sanction required for introducing moving or passing any Bill or Amendment thereto ;
- (xvi) Cases relating to amendment to High Court rules or orders ;
- (xvii) Cases pertaining to appointment and resignation of High Court Judges ;
- (xviii) Any departure from the rules and these Instructions which comes to the notice of the Chief Secretary or the Secretary of any Department ;
- (xix) Such other cases of importance as the Chief Minister might consider necessary.

16. Where in any case the Governor considers that any further action should be taken or that action should be taken otherwise than in accordance with the orders passed by the Minister-in-charge, the Governor may require the case to be laid before the Council of Ministers for consideration whereupon the case shall be so laid :
Provided that the notes, minutes or comments of the Governor in any such case shall not be brought on the Secretariat record unless the Governor so directs.

17. The Chief Minister shall—

- (a) cause to be furnished to the Governor such information relating to the administration of the affairs of the State and proposals for legislation as the Governor may call for ; and
- (b) if the Governor so requires, submit for the consideration of the Council or the Cabinet any matter on which a decision has been taken by a Minister but which has not been considered by the Council or the Cabinet.

PART III

PROCEDURE OF THE COUNCIL OF MINISTERS AND OF THE CABINET

18. The Chief Secretary or such other officer as the Chief Minister may appoint shall be the Secretary to the Council and to the Cabinet.

19. The Secretary to the Council or the Cabinet shall attend every meeting of the Council or the Cabinet unless the Chief Minister excuses his attendance from any meeting. The duty of the Secretary to the Council or the Cabinet shall be :—

- (i) to communicate a list of business for and the date, time and place of, every meeting to the Governor and to each Minister and to each Secretary of the Department concerned, at least three days before the date for the meeting, unless in any case the Chief Minister otherwise directs ;
- (ii) to record the minutes of the proceedings of the Council or of the Cabinet ;
- (iii) to keep the records of the proceedings of the Council or of the Cabinet ;
- (iv) to inform the Chief Minister of the State of the pending business of the Council or the Cabinet and to obtain orders about the time and place of meeting of the Council or the Cabinet and the business to be taken up ;
- (v) to see that the Governor and the Ministers are provided with copies of relevant papers, beforehand ;
- (vi) to see that the Secretaries whose presence may be required in the Council meeting or Cabinet meeting are in attendance ;
- (vii) to send to the Governor and Minister, as soon as possible after the end of each meeting copies of the proceedings.

20. All cases referred to in rule 9 of the Rules shall be submitted to the Chief Minister after consideration by the Minister-in-charge, with a view to obtaining his orders for circulation of the case under Instruction 21 or for bringing it up for consideration at a meeting of the Council, as the case may be, of the Cabinet.

21. (1) The Chief Minister may direct that any case referred to in the Second Schedule may, instead of being brought up for discussion at a meeting of the Council, be circulated to the Ministers for opinion, and if all the Ministers are unanimous and the Chief Minister thinks that a discussion at a meeting of the Council is unnecessary, the case shall be decided without such discussion. If the Ministers are not unanimous or if the Chief Minister thinks that a discussion at a meeting is necessary, the case shall be discussed at a meeting of the Council.

(2) If it is decided to circulate any case to the Ministers, a memorandum giving a gist of papers relating to such case which is circulated among the Ministers shall simultaneously be sent to the Governor.

(3) When a case is circulated, the order of circulation shall be as follows :—

- (a) to the Ministers (other than the Minister-in-charge) in order of juniority ;
- (b) to the Minister-in-charge ;
- (c) to the Chief Minister.

22. (1) In cases which are circulated for opinion under Instruction 21 the Chief Minister may direct if the matter be urgent, that if any Minister fails to communicate his opinion to the Secretary to the Council by a date to be specified by him in the memorandum for circulation, it shall be assumed that he has accepted the recommendations contained therein.

(2) If the Ministers have accepted the recommendations contained in the memorandum for circulation or the date by which they were required to communicate their opinion has expired, the Secretary to the Council shall submit the case to the Chief Minister. If the Chief Minister accepts the recommendations and if he has no observations to make, he shall return the case to the Secretary to the Council who will pass it on to the Secretary concerned who will thereafter take steps to issue necessary orders.

23. In relation to matters referred to in Instruction 2 which are to be brought before the Cabinet, the provisions of Instructions 21 and 22 shall apply, as they apply in relation to matters to be brought before or considered by the Council.

24. When it has been decided to bring a case before the Council or, as the case may be the Cabinet, the Department to which the case belongs shall, unless the Chief Minister otherwise directs prepare a memorandum indicating with sufficient precision the salient facts of the case and the points for decision. Such memorandum and such other papers as are necessary to enable the case to be disposed of shall be circulated to the Ministers. Copies of the memorandum and other papers shall at the same time be sent to the Governor.

25. In cases which concern more Ministers than one, the Ministers shall attempt by previous discussion to arrive at an agreement. If an agreement is reached, the memorandum referred to in Instruction 22 or 24 shall contain the joint recommendations of the Ministers ; and if no agreement is reached, the memorandum shall state the points of difference and the recommendations of each of the Ministers concerned.

26. (1) The Council or, as the case may be, the Cabinet shall meet at such place and time as the Chief Minister may direct.

(2) After an agenda paper showing the cases to be discussed at a meeting of the Council or of the Cabinet has been approved by the Chief Minister, copies thereof, together with copies of such memoranda as have not been circulated under Instruction 24 shall be sent by the Secretary to the Council or, as the case may be to the Cabinet, to the Chief Minister and other Ministers so as to reach them two clear days before the date of such meeting. The Chief Minister may, in the case of emergency, curtail the said period of two days. Copies of the agenda and the memoranda shall at the same time be sent to the Governor.

(3) Except with the permission of the Chief Minister, no case shall be placed on the agenda of a meeting unless papers relating thereto have been circulated as required by Instruction 24.

(4) If any Minister is on tour, the agenda paper shall be forwarded to the Secretary in the Department named by him for the purpose who, if he considers that the discussion of any case should await the return of the Minister, may request the Secretary to the Council or the Cabinet to take the orders of the Chief Minister for postponement of the discussion of the case until the return of the Minister.

(5) The Chief Minister or in his absence, any other Minister nominated by him shall preside at a meeting of the Council or of the Cabinet.

(6) The Secretary of a Department concerned with the case shall attend the meeting unless his presence is excused by the Chief Minister.

(7) The Secretary to the Council or the Cabinet shall attend all meetings of the Council or as the case may be of the Cabinet and shall prepare a record of the decisions. He shall forward a copy of such record to each of the Ministers including the Chief Minister and to the Governor.

27. (1) When a case is brought before a meeting of the Council or of the Cabinet, the presiding authority will call upon the minister-in-charge to make such observations as he thinks fit on the point or points submitted for discussion. Other Ministers may then speak. Secretaries, except when asked for their opinion, will take no part in the discussions.

(2) When a decision upon the point or points under discussion has been reached the Secretary in the Department concerned (or in his absence the Secretary to the Council or to the Cabinet) shall take down in writing and read out the order proposed to be passed on the case and such order shall after its terms have been finally approved by the Council or as the case may be by the Cabinet and initialled by the Chief Minister or the presiding Minister, be recorded by the Secretary to the Council or to the Cabinet in the minutes of the proceedings of the Council or of the Cabinet. A copy of the order so approved and initialled shall be kept with the notes of the case.

(3) Relevant extracts from the decision of Government reached at a meeting of the Council or of the Cabinet shall be supplied by the Secretary of the Council or to the Cabinet to the Secretaries of the Departments concerned.

28. When any matter has been discussed in the Council or in the Cabinet any Minister who has taken part in the discussion may record a minute on the subject which shall form part of the record of the proceedings.

29. (1) When a case has been decided by the Council or by the Cabinet after discussion at a meeting, the Minister concerned shall take action to give effect to the decision. If however, any deviation is proposed to be made from that decision, the case shall be submitted to the Chief Minister by the Minister concerned and further action on it will be taken according to any directions of the Chief Minister. The Secretary in the Department concerned will in each such case cause to be supplied to the Secretary to the Council or to the Cabinet such documents as the latter may require to enable him to maintain his record of the case.

(2) The decision of the Council or of the Cabinet relating to each case may be separately recorded and after approval by the Chief Minister or any other Minister presiding shall be placed with the record of the case. An advance copy of the draft of the decisions and also of the approved draft shall be sent to the Governor.

30. The discussion and recorded proceedings of the Council or of the Cabinet shall be secret. Save as provided in Instructions 19 and 27, no proceedings of the Council or of the Cabinet or extracts therefrom or information relating thereto shall be supplied or disclosed to any person.

PART IV

PROPOSALS FOR LEGISLATION

31. Except as otherwise provided by Instruction 35, the Law and Judiciary Department is not, in respect of legislation, an originating or initiating Department and its proper functions is to put into technical shape the projects of legislation of which the policy has been approved, and every proposal to initiate legislation shall be considered in, and if necessary transferred to, the Department to which the subject matter of the legislation relates and the necessity for legislation and all matters of substance to be embodied in the Bill shall be discussed and, subject to the provisions of rule 9 of the rules, settled in such Department.

32. Proposed to initiate legislation shall be treated as a case and shall be disposed of accordingly :

Provided that the case shall not be submitted to the Chief Minister until the Department concerned has consulted the Law and Judiciary Department as to—

- (a) the expediency of the proposed legislation from a legal point of view ;
- (b) the competence of the State Legislature to enact the measure proposed ;
- (c) the requirements of the Constitution as to obtaining the previous sanction of the President thereto ; and
- (d) the consistency of the proposed measure with the provisions of the Constitution, and in particular those relating to the fundamental rights.

33. (1) If legislation is decided upon by the Minister-in-charge, the Department will, if it involves expenditure from the Consolidated Fund of the State, prepare in consultation with the Finance Department, a Financial Statement. The papers then be sent to the Law and Judiciary Department for the preparation of a draft Bill.

(2) The Law and Judiciary Department shall then, in consultation with the originating Department, and under the orders of the Minister-in-charge and the Minister for Law prepare a tentative draft Bill and send it to the originating Department, indicating at the same time the sanction, recommendation or administrative approval, if any, required for the Bill. The originating Department shall then prepare a Statement of Objects and Reasons and Memorandum on delegated legislation and secure the approval of the Law and Judiciary Department, thereto.

(3) The originating Department shall obtain the administrative approval required for the Bill and shall also obtain the opinions of such officers and bodies as it deems necessary on the draft Bill. The opinions received with a copy of the tentative draft Bill shall then be submitted to the Minister-in-charge.

(4) If the tentative draft Bill is approved by the Minister-in-charge and the Minister for Law, the Department shall then submit the draft together with the Financial Statement, the Statement of Objects and Reasons and the Memorandum on delegated legislation to the Chief Secretary with its suggestions for obtaining the orders of the Chief Minister either for the circulation of the Bill or for submission to the Council of Ministers or the Cabinet as the case may be for approval. The Department shall also simultaneously obtain orders of Government as to the introduction of the Bill in the Legislative Council or Legislative Assembly. A copy of such Bill shall be submitted by the Chief Secretary to the Governor. In the case of every Bill for which a Financial Statement has been prepared, the Department shall send a copy of such Bill with the Financial Statement, the Statement of Objects and Reasons and the Memorandum aforesaid to the Finance Department, simultaneously when the draft Bill is sent to the Chief Secretary.

(5) After the Bill is approved by the Council of Ministers or the Cabinet as the case may be the draft Bill together with the Statement of Objects and Reasons and Memorandum shall, without any delay, be sent by the originating Department to the Law and Judiciary Department for the publication of the Bill. If the Council of Ministers directs any alterations to be made in the draft Bill or in the Statement of Objects and Reasons or the Memorandum submitted for its approval, such alteration shall be carried out by the originating Department in consultation with the Law and Judiciary Department, before the draft Bill (in print and containing the signature of the Minister-in-charge below the Statement of Objects and Reasons) is sent to the Law and Judiciary Department for publication. The Law and Judiciary Department shall then take steps to publish the Bill.

(6) The originating Department shall take all necessary action so that every Bill to be taken up in the next Session of the Legislature is approved by the Council of Ministers or the Cabinet as the case may be at least ten days, before the date of the commencement of such Session and sent immediately to the Law and Judiciary Department for publication. In exceptional circumstances this time limit may be waived after obtaining the orders of the Chief Minister.

(7) If any provisions in the tentative Bill are so modified by the originating Department as to involve expenditure from the Consolidated Fund of the State, the originating Department shall prepare or revise, as the case may be, in consultation with the Finance Department the Financial Statement. The procedure described in paragraph (4) shall then apply to such Bill.

34. Law and Judiciary Department shall then obtain recommendation of the Governor, if any is required. The Law and Judiciary Department shall also obtain sanction of the President to the Bill or Amendment thereto, through the Secretary to the Governor, when any is required.

35. (1) Measures designed solely to codify and consolidate existing enactments and legislation of a formal character such as repealing and amending Bills may be initiated in the Law and Judiciary Department :

Provided that the Law and Judiciary Department shall send a copy of the draft Bill together with the Statement of Objects and Reasons to the Department which is concerned with the subject matter for consideration as an administrative measure and shall also if the Bill deals with an Act of Parliament send a copy to the Central Government.

(2) The Department to which a copy of the Bill is sent shall forthwith make such enquiries as it thinks fit and shall send to the Law and Judiciary Department, its opinion thereon together with a copy of every communication received by it on the subject.

(3) Thereupon the Law and Judiciary Department shall submit the Bill to the Council of Ministers or the Cabinet for orders and if the Council or the Cabinet so directs, take steps for its introduction in the Legislative Council or in the Legislative Assembly, as the case may be.

36. A copy of every Bill introduced in any House of the State Legislature shall, immediately after its introduction be forwarded to the Governor as well as to the Central Government for information.

37. (1) Whenever a non-official Member of the State Legislature gives notice of the intention to move for leave to introduce a Bill, the Secretary, Maharashtra Legislature Secretariat shall forward a copy of the Bill to the Law and Judiciary Department. The Law and Judiciary Department shall forthwith send a copy of the Bill and the Statement of Objects and Reasons for information to the Chief Minister and to the Department to which the case belongs.

(2) The Bill shall be dealt with as a case by the Law and Judiciary Department in the first instance, where it shall be considered in its technical aspects, such as need for previous sanction of the President and the competence of the State Legislature to enact the measure and then forwarded with its opinion to the Department to which the case belongs.

(3) Every such Bill, a copy of which is received by any department under paragraph (1), shall be circulated, after examination by that Department to the Ministers and to the Governor and dealt with, if necessary, under the instructions provided for cases affecting more than one Department.

(4) If any provisions of such Bill involve expenditure from the Consolidated Fund of the State, the Department shall, before it is circulated, prepare in consultation with the Finance Department, the Financial Statement in respect of the Bill.

38. Every Bill of the nature referred to in article 199 of the Constitution—

- (a) if the Bill relates to the subject dealt with in the Finance Department, be submitted to the Finance Minister ; and
- (b) in any other case, be sent by the Secretary of the Department concerned for the remarks of the Finance Department. The Bill shall thereafter be submitted to the Finance Minister by the Department concerned.

39. The provisions of Instruction 37 shall, as far as may be, apply to amendments of substance recommended by the Select Committee and also to all amendments, notice of which is given by members of the State Legislature for being moved during the consideration of a Bill in that Legislature.

40. In every draft Bill a reference shall be added in the margin of each clause to show whether it is based on any, and if so, on what provisions of the existing law. Such marginal references may be retained during the progress of the Bill through the State Legislature but shall be removed from the copy submitted in the event of the passing of the measure for the assent of the Governor and also from that sent to the Central Government.

41. (1) When a Bill is passed by the State Legislature, it shall be examined on receipt of the authentic copy thereof from the Secretary, Maharashtra Legislature Secretariat, in the Law and Judiciary Department and the Department concerned and shall be forwarded to the Governor with a report of the Secretary to Government, Law

and Judiciary Department and of the Secretary of the Department concerned as to the reasons, if any, why the Governor's assent should not be given to the Bill or the Bill should not be reserved for the consideration of the President.

(2) Where the Governor directs that the Bill should be reserved for the consideration of the President or returned to the State Legislature with a message, necessary action in that behalf shall be taken by the Secretary to the Governor in consultation with the Secretary to the administrative Department concerned and the Secretary to Government, Law and Judiciary Department.

(3) After obtaining the assent of the Governor or the President, as the case may be, the Law and Judiciary Department shall take steps for the publication of the Bill in the *Official Gazette* as an Act of the Legislature.

42. The provisions of Instructions 31, 32 and 33 shall, so far as may be apply in respect of Ordinances promulgated by the Governor under clause (1) of article 213 of the Constitution of India, subject to the following provisions, that is to say—

- (a) after the Ordinance is approved by the Council of Ministers or the Cabinet the originating or initiating Department shall forthwith submit the Ordinance through the Chief Minister to the Governor for his signature :

Provided that where under the proviso to clause (1) of the said article 213, previous instructions of the President are necessary for the promulgation of the Ordinance, the Department concerned shall obtain the same through the Secretary to the Governor, and then submit the Ordinance to the Governor as aforesaid ;

- (b) on receipt of the copy of Ordinance signed by the Governor, the Department shall forward the same to the Law and Judiciary Department for publication ;
- (c) after the publication of the Ordinance, the Law and Judiciary Department shall forward a copy of the same to the Governor and two copies thereof to the Secretary, Maharashtra Legislature Secretariat, for being laid before both the Houses of the Legislature as required under clause (2) of article 213 of the Constitution.

43. Whenever it is proposed in any Department other than the Law and Judiciary—

- (i) to issue a statutory rule, notification or order, or
- (ii) to sanction under a statutory power, the issue of any rule, bye-law, notification or order by a subordinate authority, or
- (iii) to submit to the Central Government any draft statutory rule, notification or order for issue by them, the draft shall be referred to the Law and Judiciary Department for opinion and for revision when necessary.

44. (1) All administrative Departments shall consult the Law and Judiciary Department—

- (a) the construction of statutes, Acts, Regulations and statutory rules, orders and notifications ;
- (b) any general legal principles arising out of any case ; and
- (c) the institution or withdrawal of any prosecution at the instance of any administrative Department, except in cases which are simple and clear and where no point of law is involved.

(2) Every such reference shall be accompanied by an accurate statement of the facts of the case and the exact point or points on which the advice of the Law and Judiciary Department is desired.

PART V

THE FINANCE DEPARTMENT

45. The Finance Department shall perform the following functions, that is to say,—

- (a) it shall be in charge of the accounts relating to loans granted by the Government and shall advise on all transactions relating to such loans ;
- (b) it shall be responsible for the safety and employment of all funds belonging to, vesting in or under the management of the State Government.
- (c) it shall examine and report on all proposals for the increase, continuance of reduction or taxation ;
- (d) it shall examine and report on all proposals for borrowing by the Government ; shall take all steps necessary for the purpose of raising such loans as have been duly authorised ; and shall be in charge of all matters relating to the service of loans ;
- (e) it shall be responsible for all matters relating to financial procedure and application of the principles of sound finance ;

- (f) it shall be responsible for seeing that proper financial rules are framed for the guidance of other Departments and that suitable accounts, including commercial accounts, where necessary, are maintained by other Departments and establishment subordinate to them ;
 - (g) it shall be responsible for all matters relating to budget procedure and to the form and content of the annual financial statement and it shall be responsible during the year for the provision of ways and means and for watching the state of the Government's balance ;
 - (h) in connection with the budget and with supplementary estimates :
 - (i) it shall prepare the annual statement of estimated receipts and expenditure for presentation to the Houses of the Legislature, and any supplementary estimates of expenditure which it may be necessary to present in the course of the year ; it shall also prepare the Appropriation Bills and Bills relating to the Consolidated and Contingency Funds of the State ;
 - (ii) for the purpose of such preparation, it shall obtain from the Departments concerned material on which to base its estimates and it shall be responsible for the correctness of the estimates framed on the material so supplied ;
 - (iii) it shall examine and advise on all schemes of new expenditure for which it is proposed to make provision in the estimates and shall decline to provide in the estimates for any scheme which has not been so examined ;
 - (i) on receipt of a report from an audit officer to the effect that expenditure for which there is no sufficient sanction is being incurred, it shall require steps to be taken to obtain sanction or that the expenditure shall immediately cease ;
 - (j) it shall lay the audit report relating to the State accounts before the Committee on Public Accounts ;
 - (k) it shall decide to what extent in particular Departments the audit of expenditure should be reinforced by an audit of receipts ;
 - (l) it shall advice Departments responsible for the collection of revenue regarding methods of collection employed.
46. (1) After grants have been voted by the Legislative :—
- (a) the Finance Department shall have power to sanction any reappropriation within a grant from one major, minor or subordinate head to another ;
 - (b) if any re-appropriation within a grant between a head subordinate to a minor head is sanctioned by any Department in pursuance of any delegation made by the Finance Department a copy of every order sanctioning the re-appropriation shall be communicated to the Finance Department as soon as it is passed.
- (2) The Finance Department shall have power—
- (a) to delegate to the High Commissioner for India in the United Kingdom in respect of any grant and subject to any conditions which it may specify in this behalf, the power of re-appropriation conferred by clause (a) of paragraph (1) ; and
 - (b) to sanction the delegation by an administrative Department to any officer or class of officers of the power of re-appropriation conferred on such administrative department by clause (b) of the said paragraph.
- (3) Copies of orders sanctioning any re-appropriation which does not require the sanction of the Finance Department shall be communicated to that Department as soon as such orders are passed.
47. Every report made by the Finance Department on any matter on which, it is, by statute or rule, required to advise or report, shall be forwarded to the Department concerned.
48. The Finance Department shall be consulted before the issue of orders upon all proposals which affect the finances of the State and in—
- (a) proposals to add any post or abolish any post from the public service or to vary the emoluments of any post ;
 - (b) proposals to sanction an allowance or special or personal pay for any post or class of posts or to any servant of the Government of the State ;
 - (c) proposals involving abandonment of revenue or involving any expenditure for which no provision has been made in the Appropriation Act.
49. The views of the Finance Department shall be brought to the permanent record of the Department to which the case belongs and shall form part of the case.
50. The Finance Department may by general or special order prescribe cases in which its assent may be presumed to have been given.

51. (1) The Finance Minister may call for any papers in a case in which any of the matters referred to in rule 11 of the rules or Instruction 48 is involved and the Department to whom the request is addressed shall supply the papers.

(2) On receipt of papers called for under sub-rule (1), the Finance Minister may request that the papers with his note on them shall be submitted to the Council.

(3) The Finance Department may make rules to govern financial procedure in general in all Departments, and to regulate the business of the Finance Department and the dealings of other Departments with the Finance Department.

PART VI

MISCELLANEOUS

* 52. Whenever it may be found necessary to make communication to high officers of Government, such as Commissioners, Collectors, Heads of Department, etc., conveying or implying the dissatisfaction of Government in any degree, or indicating how they might more satisfactorily discharge the duties of their office, such communication shall be made in the form of confidential letter or memorandum to be signed by the Chief Secretary in respect of officers belonging to the Indian Administrative Service or any other All India Service and by the Secretary of the Department concerned in respect of any officer not belonging to the aforesaid services.

* *Vide* General Administration Department, Order No. ROB-1087/61/XVIII (O. & M.), dated the 26th September 1988.

53. Subject to the provisions of Instruction 55, the Secretary to the Department concerned is in each case responsible for the careful observance of these Instructions, and when he considers that there has been any material departure from them, he shall personally bring the matter to the notice of the Minister-in-charge of the Department and the Chief Secretary.

54. (1) Where a question asked by a member of the Legislative Assembly or Legislative Council concerns Departments which are in charge of different Ministers it shall be answered by the Minister-in-charge of the Department to which the question is sent by the Secretary, Maharashtra Legislature Secretariat.

(2) Such Minister shall, before answering such question, consult Minister-in-charge of the other Departments concerned as to the reply to be given to those parts of the question which concern such departments.

54A. * (1) Where a resolution or motion proposed to be moved in any House of the State Legislature is received in any Department from the Maharashtra Legislature Secretariat and the subject matter of that resolution or motion relates to the Department which receives it and also to some other Department or Departments, the Department which receives it shall deal with it ; and for that purpose required the concerned Department or Departments to intimate their views on the resolution or motion in so far as it relates to them.

(2) Where the subject matter of any such resolution or motion does not pertain to the Department which receives it, that Department shall transfer it to the Department which is concerned with such resolution or motion ; and thereupon the Department to which it is so transferred shall deal with it in the manner laid down in paragraph (1).

(3) The reply to a resolution or motion aforesaid shall be given by the Minister-in-charge of the Department which deals with it under paragraph (1) or (2) :

Provided that, with the previous approval of the Chief Minister, the Minister-in-charge of the Department may request any other Minister to give reply to such resolution or motion.

* *Vide* General Administration Department, Order No. ROB-1166 (O. & M.), dated the 29th September 1966.

55. No function of a Secretary falling under rules 10(2) and 14 of the Rules and Instruction 53 shall be discharged by a Joint, Deputy, Under or Assistant Secretary.

56. In addition to the cases and copies of the proceedings which are required to be sent to the Governor, each Department of the Secretariat shall also forward to the Governor for his information copies of—

- (i) important letters and telegrams addressed to the Government of India ; important letters and telegrams from, and to, the State Governments, the High Court and the Maharashtra Public Service Commission ;
- (ii) all orders embodying important principles or charges of policy in the administration of the State.

57. If any doubt arises as to the interpretation of these instruction it shall be referred to the Chief Minister whose decision shall be final.

58. If any provision in these instruction is repugnant to any provision in the rules, the provision in the rules shall prevail and the provision in the instructions shall, to the extent of repugnancy, be void.

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

Sachivalaya,
Bombay, 7th May 1964.

N. T. MONE
Chief Secretary to the Government of Maharashtra,
General Administration Department.



महाराष्ट्र शासन राजपत्र

उत्ताधारण
प्राधिकृत प्रकाशन

शुक्रवार, डिसेंबर ७, १९९०/अप्र. १६, शके १९१२

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या राजपत्राचे वेगळे पृष्ठ क्रमांक दिले आहेत

भाग चार-अ

महाराष्ट्र शासनाने केंद्रीय अधिनियमान्वये तयार केलेले (भाग एक, एक-अ आणि एक-ल
यांमध्ये प्रसिद्ध केलेले नियम व उपदेश यांमधिलिखित) नियम व आवेश

GENERAL ADMINISTRATION DEPARTMENT

Mantralaya, Bombay 400 032, dated the 4th December 1990.

CONSTITUTION OF INDIA.

No. ROB-1090/111/XVIII(O & M).--In exercise of the powers conferred by clause (3) of article 166 of the Constitution of India, the Governor of Maharashtra is hereby pleased to make the following rules further to amend the Maharashtra Government Rules of Business, namely :—

1. These rules may be called the Maharashtra Government Rules of Business (Amendment) Rules, 1990.
2. In the Maharashtra Government Rules of Business, in the Second Schedule, in entry 17,—
 - (a) for the letters and figures "Rs. 50,000", the words "rupees one lakh" shall be substituted ;
 - (b) for the words "rupees five lakhs", the words "rupees ten lakhs" shall be substituted.

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

K. B. SRINIWASAN,

Chief Secretary to Government.

भाग चार-अ—१२०

(२७३)

शासकीय मध्यवर्ती मुद्रणालय, मुंबई

ORDER

General Administration Department,
Mantralaya, Mumbai-400 032.

Dated the 2nd March, 1998.

Maharashtra
Government
Rules of
Business.

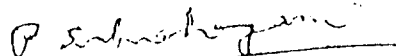
NO.ROD-1097/CR-36/97/18(O&M).-- In exercise of the powers conferred on him by rule 15 of the Maharashtra Government Rules of Business made by him under article 166 of the Constitution of India, the Governor of Maharashtra is hereby pleased to amend the Instructions regarding the Business of the Government for the more convenient transaction of the business of the Government of Maharashtra, as follows, namely:-

In Instructions 15 of the said Instructions, in paragraph (1), after clause (xxii), the following clause shall be inserted, namely :-

"(xxiii) Proposals for the appointment of Chairman and Members of various statutory Tribunals;"

By order and in the name of the

Governor of Maharashtra,


(P. Subrahmanyam)

Chief Secretary to Government.

आदेश

सामान्य प्रशासन विभाग,
मंत्रालय, मुंबई - ४०० ४१२.

दिनांक :- २ मार्च, १९९८.

शासन कार्य नियमावली

क्रमांक : शाकानि-१०६७/प्र.क्र. ३६/९४/१८ [र. व. का.]. भारतीय संविधानाच्या अनुच्छेद १६६ खाली महाराष्ट्राच्या राज्यपालांनी त्या केलेल्या " महाराष्ट्र शासन कार्य नियमावली " तील नियम १५ अन्वये त्यांना प्रदान करण्यात आलेल्या अधिकारांचा वापर करून महाराष्ट्राचे राज्यपाल त्या नियमावलीतील नियम १५ खाली शासकीय कामकाजासंबंधी करण्यात आलेल्या अनुदेशामध्ये महाराष्ट्र शासनाचे कामकाज अधिक सुलभतेने होण्यासाठी याद्वारे सदर अनुदेशात खालील प्रमाणे दुरुस्ती करित आहेत :-

उक्त अनुदेशातील अनुदेश १५, परिच्छेद [१] मधील खंड [बावीस] नंतर खालील खंड समाविष्ट करण्यात यावा :-

"[तेवीस] विविध सांविधिक न्यायाधिकरणाच्या अध्यक्ष व सदस्य यांच्या नेमणुकीबाबतचे प्रस्ताव".

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार घेतां माने.

[पी. सुब्रह्मण्यम्]

शासनाचे मुख्य सचिव.

WATD

ORDER

General Administration Department,
Mantralaya, Mumbai-400 032,

Dated: the 27th March 1998.

Maharashtra
Government
Rules of
Business.

NO. ROB-1097/CR.71/97/18 (O&M). - In exercise

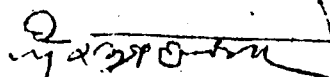
of the powers conferred on him by rule 15 of the
Maharashtra Government Rules of Business made by
him under article 166 of the Constitution of India,
the Governor of Maharashtra is hereby pleased to
amend the Instructions regarding the Business
of the Government for the more convenient

transaction of the business of the Government of
Maharashtra, as follows, namely:-

In Instruction 15 of the said Instructions, in
paragraph (1), for clause (xxvii), the following
clause shall be substituted, namely:-

"(xxvii) Cases relating to allotment of tenements
available to Government under the Urban Land
(Ceiling and Regulation) Act, 1976,".

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



(P. Subrahmanyam)
Chief Secretary to Government.

आदेश

सामान्य प्रशासन विभाग,
मंत्रालय, मुंबई - ४०० ०३२,
दिनांक : २७ मार्च, १९९८.

महाराष्ट्र शासन

कार्यनियमावली

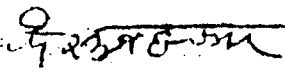
क्रमांक - शाकांन-१०९७/प्र.क्र. ७१/९७/१८ [रवका]-

भारतीय संविधानाच्या अनुच्छेद १६६ खाली महाराष्ट्राच्या राज्यपालांनी तयार केलेल्या महाराष्ट्र शासन कार्यनियमावलीच्या नियम १५ अन्वये त्यांना प्रदान करण्यात आलेल्या अधिकारांचा वापर करून महाराष्ट्राचे राज्यपाल सदर नियमावलीतील नियम १५ खाली शासकीय कामकाजासंबंधी करण्यात आलेल्या अनुदेशांमध्ये, महाराष्ट्र शासनाचे कामकाज अधिक पुढे होण्यासाठी याद्वारे खालीलप्रमाणे दुरुस्ती करीत आदेश :-

सदर अनुदेशातील अनुदेश १५, परिच्छेद [१] मधील खंड [सत्तावीस] मध्ये खालीलप्रमाणे बदल करण्यात यावा.

" [सत्तावीस] नागरी जमीन [कमालमर्यादा व विनियमन] अधिनियम, १९७६ अन्वये शासनाकडे उपलब्ध असलेल्या गाळ्यांचे वाटप. "

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,



[पी. सुब्रह्मण्यम]

शासनाचे मुख्य सचिव.



महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

शुक्रवार, एप्रिल १५, २००५/चैत्र २५, शके १९२७

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग चार-अ

महाराष्ट्र शासनाने केंद्रीय अधिनियमान्वये तयार केलेले (भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांब्यतिरिक्त) नियम व आदेश.

सामान्य प्रशासन विभाग

मंत्रालय, मुंबई ४०० ०३२, दिनांक १५ एप्रिल २००५

आदेश

भारतीय संविधान.

क्र. शाकानि. १००४/७४२/प्र. क्र. २०/२००४/१८ (र. व का.).—भारतीय संविधानाच्या अनुच्छेद १६६ खाली महाराष्ट्राच्या राज्यपालांनी तयार केलेल्या महाराष्ट्र शासन कार्यनियमावलीतील नियम १५ अन्वये त्यांना प्रदान करण्यात आलेल्या अधिकाराचा वापर करून महाराष्ट्राचे राज्यपाल त्या नियमावलीतील नियम १५ खाली शासकीय कामकाजासंबंधी करण्यात आलेल्या अनुदेशामध्ये महाराष्ट्र शासनाचे कामकाज अधिक सुलभतेने होण्यासाठी याद्वारे खालीलप्रमाणे दुरुस्ती करित आहेत :—

(२६०)

[किंमत : रुपये ७-००]

(१) सदर अनुदेशातील अनुदेश १ मधील खंड (तीन) नंतर खालील खंड समाविष्ट करण्यात यावा :—

“ (तीन-अ) ‘ मुख्य सचिव ’ याचा अर्थ मुख्य सचिव आणि अन्यथा दुसरा अर्थ अपेक्षित नसेल तर अपर मुख्य सचिव. ”.

(२) सदर अनुदेशातील अनुदेश ११ मधील परिच्छेद (३), खाली खालील परंतुक समाविष्ट करण्यात यावे :—

“ परंतु, मुख्य सचिव वेळोवेळी आदेश काढून ज्या विभागांच्या समन्वयाचे कामकाज अपर मुख्य सचिवांना सोपवतील त्या विभागांतील कोणत्याही प्रकरणासंबंधातील कागदपत्रेसुद्धा पहाण्यासाठी ते मागवू शकतात. ”

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

रा. मे. प्रेमकुमार,
शासनाचे मुख्य सचिव.

GENERAL ADMINISTRATION DEPARTMENT

Mantralaya, Mumbai 400 032, dated 15th April 2005.

Order**CONSTITUTION OF INDIA.**

No. ROB. 1004/742/C.R. 20/2004/XVIII (O. & M.).—In exercise of the powers conferred on him by rule 15 of the Maharashtra Government Rules of Business made by him under article 166 of the Constitution of India, The Governor of Maharashtra is hereby Pleased to amend instructions regarding the business of the Government for the more convenient transaction of the business of the Government of Maharashtra, as follows :—

(1) In instruction 1 of the said Instructions, after clause (iii), following clause shall be inserted, namely :—

“(iii-a) ‘Chief Secretary’ means the Chief Secretary and, unless the context otherwise requires, includes the Additional Chief Secretary.”.

(2) In instruction 11 of the said Instructions, to Paragraph (3), the following proviso shall be added, namely :—

“Provided that the Additional Chief Secretary may also ask to see the papers relating to any case in respect of those Departments, which are assigned to him for coordination purposes by the Chief Secretary as per orders issued from time to time.”.

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

R. M. PREMKUMAR,
Chief Secretary to Government.

GENERAL ADMINISTRATION DEPARTMENT
Mantralaya, Mumbai 400 032, dated 15th April 2005.**Order**

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R. M. PREMKUMAR,
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