



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

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असाधारण क्रमांक १२८

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 Shree Sai Baba Sansthan Trust (Shirdi) (Amendment) Act, 2017 (Mah. Act No. XLVIII 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 Remembrancer
of Legal Affairs to Government,
Law and Judiciary Department.

MAHARASHTRA ACT NO. XLVIII OF 2017

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 19th August 2017).

An Act further to amend the Shree Sai Baba Sansthan Trust (Shirdi) Act, 2004.

WHEREAS both Houses of the State Legislature were not in session ;

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Shree Sai Baba Sansthan Trust (Shirdi) Act, 2004, for the purposes hereinafter appearing ; and, therefore, promulgated the Shree Sai Baba Sansthan Trust (Shirdi) (Amendment) Ordinance, 2017, on the 13th July 2017 ;

Mah.
XIV of
2004.
Mah.
Ord. XII
of 2017.

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature; it is hereby enacted in the Sixty-eighth Year of the Republic of India as follows :—

1. (1) This Act may be called the Shree Sai Baba Sansthan Trust (Shirdi)(Amendment) Act, 2017.

Short title and commencement.

(2) It shall be deemed to have come into force on the 13th July 2017.

Amendment
of section 2
of Mah. XIV
of 2004.

2. In section 2 of the Shree Sai Baba Sansthan Trust (Shirdi) Act, 2004 (hereinafter referred to as “the principal Act”), after clause (c), the following clause shall be inserted, namely :—

Mah.
XIV of
2004.

“(c-1) “Chief Executive Officer ” means the Chief Executive Officer of the Committee;”.

Amendment
of section 11
of Mah. XIV
of 2004.

3. In section 11 of the principal Act,—

(a) to sub-section (2), the following proviso shall be added, namely :—

“Provided that, when a quorum is required but not present, the presiding authority shall adjourn the meeting for thirty minutes and the business which would have been brought before the original meeting had there been a quorum thereat, shall be brought before the adjourned meeting, and may be disposed of in such adjourned meeting, whether there be a quorum present or not.”;

(b) in sub-section (5), for the words “the Executive Officer” the words “the Chief Executive Officer” shall be substituted.

Amendment
of section 13
of Mah. XIV
of 2004.

4. In section 13 of the principal Act,—

(a) in sub-section (1),—

(i) for the words “the Executive Officer” the words “the Chief Executive Officer” shall be substituted;

(ii) in the proviso, for the words “the Executive Officer”, where they occur, the words “the Chief Executive Officer” shall be substituted;

(b) for sub-section (2), the following sub-section shall be substituted, namely :—

“(2) The Chief Executive Officer shall be selected from amongst the officers from the cadre of Indian Administrative Services :

Provided that, such officer shall be a devotee of Shree Sai Baba and shall make such declaration in the prescribed form :

Provided further that, the officer belonging to the Indian Administrative Services appointed as the Executive Officer prior to the date of commencement of the Shree Sai Baba Sansthan Trust (Shirdi) (Amendment) Act, 2017, and working on that date shall be deemed to have been appointed as the Chief Executive Officer under this section.”;

Mah.
XLVIII
of 2017.

(c) in sub-section (3), for the words “the Executive Officer”, at both the places where they occur, the words “the Chief Executive Officer” shall be substituted;

(d) in sub-section (4), for the words “the Executive Officer” the words “the Chief Executive Officer” shall be substituted;

(e) in the marginal note, for the words “Executive Officer” the words “Chief Executive Officer” shall be substituted.

5. In section 14 of the principal Act,—

Amendment of section 14 of Mah. XIV of 2004.

(a) in sub-section (1), for the words “The Executive Officer” the words “The Chief Executive Officer” shall be substituted ;

(b) in sub-section (2),—

(i) for the words “the Executive Officer” the words “the Chief Executive Officer” shall be substituted ;

(ii) for clause (a), the following clause shall be substituted, namely :—

“ (a) (i) to transfer any officer or employee as and when needed ;

(ii) to take disciplinary action against any officer or employee of the Committee ;

(iii) to propose the suspension of any officer or employee of the Committee to the Committee ;” ;

(iii) in clause (b), for the words “ twenty-five thousand rupees ” the words “ five lakh rupees ” shall be substituted ;

(c) in sub-section (3), for the words “ the Executive Officer ” the words “ the Chief Executive Officer ” shall be substituted ;

(d) after sub-section (3), the following sub-section shall be added, namely :—

“ (4) The Chief Executive Officer may, in case of emergency, direct execution of any work or the doing of any act, involving expenditure not exceeding rupees five lakh, which is not provided for in the budget for the year and the immediate execution or the doing of which is in his opinion necessary for the preservation of the properties of the Trust or for the services or safety of the pilgrims resorting to the Sansthan and may also direct that such expenses not exceeding five lakh rupees for executing such work or doing of such act, shall be paid from the Trust Fund.

The Chief Executive Officer shall forthwith report to the Committee, the action taken under this section for approval alongwith the reasons therefor.”.

6. After section 14 of the principal Act, the following section shall be inserted, namely :—

Insertion of section 14A in Mah. XIV of 2004.

“ **14A.** For the purpose of execution of proposals included in the development plan of Shree Sai Baba Mahasamadhi Centenary Celebration, duly approved by the Action Plan Committee constituted under the Government Resolution, Law and Judiciary Department, No. SSV. 2013/C.R. No. 1/D-16, dated the 22nd October 2013,—

Powers for execution of development plan of Shree Sai Baba Mahasamadhi Centenary Celebration.

(a) the Chief Executive Officer shall have power to sanction the expenditure upto twenty-five lakh rupees ;

(b) the Committee shall have power to sanction the expenditure upto one crore rupees ; and

(c) the proposals involving expenditure of more than one crore rupees shall be sanctioned by the State Government.”.

Amendment
of section 15
of Mah. XIV
of 2004.

7. In section 15 of the principal Act,—

(a) in sub-section (1), for the words “The Executive Officer” the words “The Chief Executive Officer” shall be substituted ;

(b) in sub-section (3), for the words “the Executive Officer” the words “the Chief Executive Officer” shall be substituted ;

(c) in the marginal note, for the words “Executive Officer” the words “Chief Executive Officer” shall be substituted.

Amendment
of section 17
of Mah. XIV
of 2004.

8. In section 17 of the principal Act, in sub-section (2), in clause (d), for the words “Executive Officer” the words “the Chief Executive Officer” shall be substituted.

Amendment
of section 18
of Mah. XIV
of 2004.

9. In section 18 of the principal Act,—

(a) in sub-section (1), after clause (viii), the following clauses shall be inserted, namely :—

“(viii-a) one officer nominated by the State Government from the Indian Revenue Services or the Indian Audit and Accounts Services ;

(viii-b) one officer or representative nominated by the State Government from the Information Technology Department ;

(viii-c) one Joint Secretary or Deputy Secretary from the Law and Judiciary Department who shall be nominated by the Principal Secretary and Remembrancer of Legal Affairs ;

(viii-d) one Architect or person holding equivalent qualifications in State Services, nominated by the State Government ;

(viii-e) two devotees of Shree Sai Baba nominated by the Committee ;

(viii-f) the Joint Director, Town Planning, Nashik ;”;

(b) in sub-section (3), for the words “The Executive Officer” the words “The Chief Executive Officer” shall be substituted.

Amendment
of section 23
of Mah. XIV
of 2004.

10. In section 23 of the principal Act, for the words “the Executive Officer”, at both the places where they occur, the words “the Chief Executive Officer” shall be substituted.

Amendment
of section 27
of Mah. XIV
of 2004.

11. In section 27 of the principal Act, for the words “Deputy Secretary” the words “Joint Secretary” shall be substituted.

Amendment
of section 28
of Mah. XIV
of 2004.

12. In section 28 of the principal Act,—

(a) in sub-section (1), for the words “the Executive Officer” the words “the Chief Executive Officer” shall be substituted ;

(b) to sub-section (1), the following proviso shall be added, namely :—

“Provided that, the Chief Executive Officer may send such of the resolutions of the Committee to the Government which he thinks it necessary to be brought to the notice of the Government.” ;

(c) in sub-section (2), for the words “decision or order of the Executive Officer”, at both the places where they occur, the words “decision, resolution or order of the Chief Executive Officer ” shall be substituted.

13. In section 29 of the principal Act, in sub-section (1), for the words, figures and letters “the 30th June” the words, figures and letters “ the 30th September ” shall be substituted. Amendment of section 29 of Mah. XIV of 2004.

14. In section 30 of the principal Act,—

(a) in sub-section (1), for the words “ the Executive Officer ” the words “ the Chief Executive Officer ” shall be substituted ; Amendment of section 30 of Mah. XIV of 2004.

(b) in sub-section (4), for the words “ the Executive Officer ” the words “ the Chief Executive Officer ” shall be substituted.

15. In section 34 of the principal Act, in sub-section (3), for the words “ below the rank of Collector ” the words “below the rank of Divisional Commissioner” shall be substituted. Amendment of section 34 of Mah. XIV of 2004.

Mah. Ord. XII of 2017.

16. (1) The Shree Sai Baba Sansthan Trust (Shirdi) (Amendment) Ordinance, 2017, is hereby repealed. Repeal of Mah. Ord. XII of 2017 and saving.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the principal Act, as amended by the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of the principal Act, as amended by this Act.