



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष २, अंक (६०)]

शनिवार, सप्टेंबर १७, २०१६/भाद्र २६, शके १९३८

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असाधारण क्रमांक १०२

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 Maharashtra Settlement of Arrears in Disputes (Amendment) Ordinance, 2016 (Mah. Ord. XXIII of 2016), is hereby published under the authority of the Governor.

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

P. H. MALI,
Principal Secretary to Government,
Law and Judiciary Department.

[Translation in English of the Maharashtra Settlement of Arrears in Disputes (Amendment) Ordinance, 2016 (Mah. Ord. XXIII of 2016), published under the authority of the Governor.]

FINANCE DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 17th September 2016.

MAHARASHTRA ORDINANCE No. XXIII OF 2016.

AN ORDINANCE

to amend the Maharashtra Settlement of Arrears in Disputes Act, 2016.

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

AND WHEREAS the Governor of Maharashtra is satisfied that
Mah. circumstances exist which render it necessary for him to take immediate
XVI action to amend the Maharashtra Settlement of Arrears in Disputes Act,
of 2016. 2016, 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 commencement. **1.** (1) This Ordinance may be called the Maharashtra Settlement of Arrears in Disputes (Amendment) Ordinance, 2016.
(2) It shall be deemed to have been come into force with effect from the 26th April 2016.

Amendment of section 2 of Mah. XVI of 2016. **2.** In section 2 of the Maharashtra Settlement of Arrears in Disputes Act, 2016 (hereinafter referred to as “the principal Act”), in sub-section (1), in clause (2), for the words “and stay in full or part has been granted by the appellate authority under the relevant Act or, as the case may be, by” the words “before, the appellate authority under the relevant Act or” shall be substituted. Mah. XVI of 2016.

Amendment of section 6 of Mah. XVI of 2016. **3.** In section 6 of the principal Act,—
(1) in sub-section (1), in TABLE-1, in column (2),—
(i) at serial number (i), for the words “part payment” the word “amount” shall be substituted;
(ii) at serial number (ii), for the words “part payment” the words “the amount” shall be substituted;
(2) in sub-section (2), in TABLE-2, in column (2),—
(i) at serial number (i), for the words “part payment” the word “amount” shall be substituted;
(ii) at serial number (ii), for the words “part payment” the words “the amount” shall be substituted;
(3) in sub-section (4), for the words “under the relevant Act, the part payment” the words “under the relevant Act, the payment of any amount made after the statutory order but before filing of the appeal or the amount of part payment” shall be substituted.

STATEMENT

With a view to settlement of arrears in dispute under the various Acts administered by the Sales Tax Department, the Maharashtra Settlement of Arrears in Disputes Act, 2016 (Mah. XVI of 2016), was enacted. Now, with a view to remove the condition of stay in respect of an order appealed against and for which benefit under the said Act is desired and give similar treatment of part payment made in appeal to payment made after passing the statutory order but before filing of appeal, the Government considers it expedient to amend sections 2 and 6 of the said Act, suitably.

2. 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 to amend the Maharashtra Settlement of Arrears in Disputes Act, 2016 (Mah. XVI of 2016), for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,

Dated the 17th September 2016.

CH. VIDYASAGAR RAO,

Governor of Maharashtra.

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

V. GIRIRAJ,

Principal Secretary to Government.