

THE MAHARASHTRA RIGHT TO INFORMATION (REPEAL) ACT, 2005

[Text as on 30th July 2024]

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MAHARASHTRA ACT NO. I OF 2006¹

[THE MAHARASHTRA RIGHT TO INFORMATION (REPEAL) ACT, 2005.]

[This Act received the assent of the Governor on the 7th January 2006; assent was first published in the *Maharashtra Government Gazette*, Extraordinary No. 1, Part IV, on the 9th January 2006.]

An Act to provide for repeal of the Maharashtra Right to Information Act, 2002 and for certain matters incidental thereto.

WHEREAS the Right to Information Act, 2005 (22 of 2005) has been enacted by the Parliament and, therefore, it was considered expedient to repeal the Maharashtra Right to Information Act, 2002 (Mah. XXXI of 2003), and to provide for certain matters incidental thereto;

AND 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 to repeal the Maharashtra Right to Information Act, 2002 (Mah. XXXI of 2003), for the purposes aforesaid; and, therefore, promulgated the Maharashtra Right to Information (Repeal) Ordinance, 2005 (Mah. Ord. VII of 2005), on the 5th October 2005;

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

1. Short title and commencement.— (1) This Act may be called the Maharashtra Right to Information (Repeal) Act, 2005.

(2) It shall be deemed to have come into force on the 11th October 2005.

2. Repeal of Mah. XXXI of 2003 and saving.— (1) The Maharashtra Right to Information Act, 2002 (Mah. XXXI of 2003), is hereby repealed.

(2) Notwithstanding such repeal,—

(a) all applications pending with the Public Information Officers; and

(b) all appeals pending with the appellate authorities or the Lokayukta or Upa-Lokayuktas, as the case may be,

on the date of commencement of this Act shall be continued and disposed of in accordance with the provisions of the Maharashtra Right to Information Act, 2002 (Mah. XXXI of 2003), as if this Act had not been enacted.

3. Repeal of Mah. Ord. VII of 2005 and saving.— (1) The Maharashtra Right to Information (Repeal) Ordinance, 2005 (Mah. Ord. VII of 2005), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken, as the case may be under this Act.

¹ For Statement of Objects and Reasons of the L. C. Bill No. XXI of 2005, see *Maharashtra Government Gazette*, Part V-A, Extraordinary No. 56, dated the 6th December 2005, page 468.