
Bombay Village Panchayats (Amendment) Act, 2010**23 of 2010****[02 August 2010]****CONTENTS**

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Bombay Village Panchayats (Amendment) Act, 2010**23 of 2010****[02 August 2010]****PREAMBLE**

An Act further to amend the Bombay Village Panchayats Act, 1958. 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 Bombay Village Panchayats Act, 1958 (Bom. III of 1959), for the purposes hereinafter appearing; and, therefore, promulgated the Bombay Village Panchayats (Amendment) Ordinance, 2010 (Mah. Ord. V of 2010), on the 9th June, 2010; AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature; it is hereby enacted in the Sixty-first Year of the Republic of India as follows:---

1. Short Title And Commencement :-

- (1) This Act may be called the Bombay Village Panchayats (Amendment) Act, 2010.
- (2) It shall be deemed to have been come into force on the 9th June, 2010.

2. Amendment Of Section 10-1A Of Bom. Iii Of 1959 :-

To section 10-1A of the Bombay Village Panchayats Act, 1958 (hereinafter referred to as "the principal Act"), the following provisos shall be added, namely:--

"Provided that, for the General or bye-elections for which the last date of filing of nomination falls on or before the 31st December, 2010, in accordance with the election programme declared by the State Election Commission, a person who has applied to the Scrutiny Committee for verification of his caste certificate before the date of filing of the nomination paper but who has not received the Validity Certificate on the date of filing of the nomination paper shall submit, alongwith the nomination paper,--

- (i) a true copy of the application preferred by him to the Scrutiny Committee for issuance of the Validity Certificate or any other proof of having made such application to the Scrutiny Committee; and
- (ii) an undertaking that he shall submit, within a period of four months from the date of his election, the Validity Certificate issued by the Scrutiny Committee:

Provided further that, if the person fails to produce the Validity Certificate within a period of four months from the date of his election, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being a member."

3. Amendment Of Section 30-1A Of Bom. Iii Of 1959 :-

To section 30-1A of the principal Act, the following provisos shall be added, namely:--

"Provided that, for the General or bye-elections for which the last date of filing of nomination falls on or before the 31st December, 2010, in accordance with the election programme declared by the State Election Commission, a person who has applied to the Scrutiny Committee for verification of his caste certificate before the date of filing of the nomination paper but who has not received the Validity Certificate on the date of filing of the nomination paper shall submit, alongwith the nomination paper,--

- (i) a true copy of the application preferred by him to the Scrutiny Committee for issuance of the Validity Certificate or any other proof of having made such application to the Scrutiny Committee; and
- (ii) an undertaking that he shall submit, within a period of four months from the date of his election, the Validity Certificate issued by the Scrutiny Committee:

Provided further that, if the person fails to produce the Validity Certificate within a period of four months from the date of his

election, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being a Sarpanch."

4. Repeal Of Mah. Ord. V Of 2010 And Saving :-

(1) The Bombay Village Panchayats (Amendment) Ordinance, 2010 (Mah. Ord. V of 2010), is hereby repealed.

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