

Bombay Village Panchayats (Amendment) Act, 2011

27 of 2011

[10 August 2011]

CONTENTS

1. Short Title And Commencement
2. Amendment Of Section 10-1A Of Bom. Iii Of 1959
3. Amendment Of Section 30-1A Of Bom. Iii Of 1959
4. Repeal Of Mah. Ord. Xv Of 2011 And Saving

Bombay Village Panchayats (Amendment) Act, 2011

27 of 2011

[10 August 2011]

PREAMBLE

An Act further to amend the 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, for the purposes hereinafter appearing; and, therefore, promulgated the Bombay Village Panchayats (Amendment) Ordinance, 2011, on the 8th June 2011;

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature; it is hereby enacted in the Sixty-second 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, 2011.

(2) It shall be deemed to have come into force on the 8th June 2011.

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

In section 10-1A of the Bombay Village Panchayats Act, 1958

(hereinafter referred to as "the principal Act"), for the existing provisos, the following provisos shall be substituted, 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 2011, 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 papers but who has not received the Validity Certificate on the date of filing of the nomination papers shall submit, along with the nomination papers,-

-

(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 on which he is declared elected, 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 on which he is declared elected, 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 :-

In section 30-1A of the principal Act, for the existing provisos, the following provisos shall be substituted, 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 2011; 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 papers but who has not received the Validity Certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,--

(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 on which he is declared elected, 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 on which he is declared elected, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being a Sarpanch."

4. Repeal Of Mah. Ord. Xv Of 2011 And Saving :-

(1) The Bombay Village Panchayats (Amendment) Ordinance, 2011, 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 corresponding provisions of principal Act, as amended by this Act.