

**Bombay Village Panchayats And The Maharashtra Zilla
Parishads And Panchayat Samitis (Amendment) Act, 2006**

37 of 2006

[21 December 2006]

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**Bombay Village Panchayats And The Maharashtra Zilla
Parishads And Panchayat Samitis (Amendment) Act, 2006**

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PREAMBLE

An Act further to amend the Bombay Village Panchayats Act, 1958 and the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961

WHEREAS it is expedient further to amend the Bombay Village Panchayats Act, 1958 (Bom. III of 1959) and the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (Mah. V of 1962), for the purposes hereinafter appearing; it is hereby enacted in the Fifty-seventh Year of the Republic of India, as follows:-

CHAPTER 1 PRELIMINARY

1. Short Title :-

(1) This Act may be called the Bombay Village Panchayats and the Maharashtra Zilla Parishads and Panchayat Samitis (Amendment) Act, 2006.

CHAPTER 2 AMENDMENTS TO THE BOMBAY VILLAGE PANCHAYATS ACT, 1958

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

After section 10 of the Bombay Village Panchayats Act, 1958 (Bom. III of 1959) (hereinafter, referred to as "the Village Panchayats Act"), the following section shall be inserted, namely:-

"10-1A. Person contesting election for reserved seat to submit Caste Certificate and Validity Certificate- Every person desirous of contesting election to a seat reserved for Scheduled Castes, Scheduled Tribes or, as the case may be, Backward Class of Citizens, shall be required to submit, alongwith the nomination paper, Caste Certificate issued by the Competent Authority and the Validity Certificate issued by the Scrutiny Committee in accordance with the provisions of the Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000 (Mah. XXIII of 2001):

Provided that, 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 for having made such application to the Scrutiny Committee; and
- (ii) an undertaking that he shall submit, within a period of three months front 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 three 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 14 In Bom. Iii Of 1959 :-

In section 14 of the Village Panchayats Act, sub-sections (2) and (3) shall be deleted.

4. Amendment Of Section 15 In Bom. Iii Of 1959 :-

In section 15 of the Village Panchayats Act, in sub-section (5), in clause (a), the words "or submitted a false claim or false caste certificate" shall be deleted.

CHAPTER 3 AMENDMENTS TO THE MAHARASHTRA ZILLA PARISHADS AND PANCHAYAT SAMITIS ACT, 1961

5. Insertion Of Section 12A In Mah. V Of 1962 :-

After section 12 of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (Mah. V of 1962) (hereinafter referred to as "the Zilla Parishads Act"), the following section shall be inserted, namely:-

"12A. Person contesting election for reserved seat to submit Caste Certificate and Validity Certificate-Every person desirous of contesting election to a seat reserved for Scheduled Castes, Scheduled Tribes or, as the case may be, Backward Class of Citizens, shall be required to submit, alongwith the nomination paper, Caste Certificate issued by the Competent Authority and the Validity Certificate issued by the Scrutiny Committee in accordance with the provisions of the Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Tribes (Vimukta Jatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000 (Mah. XXIII of 2001):

Provided that, 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 for having made such application to the Scrutiny Committee; and
- (ii) an undertaking that he shall submit within a period of three 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 three 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."

6. Amendment Of Section 16 Of Mah. V Of 1962 :-

In section 16 of the Zilla Parishads Act, subsections (4) and (5) shall be deleted.

7. Amendment Of Section 58 Of Mah. V Of 1962 :-

In section 58 of the Zilla Parishads Act, for the words and figures "sections 19 to 27" the words, figures and letter "sections 12A, 19 to 27" shall be substituted.