



महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

वर्ष ६, अंक १३]

बुधवार, मार्च ११, २०२०/फाल्गुन २१, शके १९४१

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असाधारण क्रमांक २४

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 Village Panchayats and the Maharashtra Zilla Parishads and Panchayat Samitis (Amendment) Act, 2020 (Mah. Act No. IV of 2020), is hereby published under the authority of the Governor.

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

RAJENDRA G. BHAGWAT,
Secretary (Legislation) to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. IV OF 2020.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 11th March 2020.)

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

WHEREAS it is expedient further to amend the Maharashtra Village Panchayats Act and the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961, for the purposes hereinafter appearing ; it is hereby enacted in the Seventy-first year of the Republic of India as follows :—

III of
1959.
Mah. V
of 1962.

CHAPTER I

PRELIMINARY.

Short title.

1. This Act may be called the Maharashtra Village Panchayats and the Maharashtra Zilla Parishads and Panchayat Samitis (Amendment) Act, 2020.

CHAPTER II

AMENDMENTS TO THE MAHARASHTRA VILLAGE PANCHAYATS ACT.

Amendment of section 10-1A of III of 1959.

2. In section 10-1A of the Maharashtra Village Panchayats Act (hereinafter in this Chapter referred to as "the Maharashtra Village Panchayats Act"), for the existing provisos, the following provisos shall be substituted, namely :—

III of 1959.

"Provided that, for the General or by-elections for which the last date of filing of nomination falls on or before the 28th February 2021, 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 twelve months from the date on which he is declared elected, the Validity Certificate issued by the Scrutiny Committee :

Provided further that, if such person fails to produce the Validity Certificate within a period of twelve 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."

Amendment of section 30-1A of III of 1959.

3. In section 30-1A of the Maharashtra Village Panchayats Act, for the existing provisos, the following provisos shall be substituted, namely :—

"Provided that, for the elections for the post of *Sarpanch* for which the last date of filing of nomination falls on or before the 28th February 2021, 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 twelve months from the date on which he is declared elected, the Validity Certificate issued by the Scrutiny Committee :

Provided further that, if such person fails to produce the Validity Certificate within a period of twelve 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*."

CHAPTER III

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

Mah. V
of 1962.

4. In section 12A of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (hereinafter in this Chapter referred to as “the Maharashtra Zilla Parishads and Panchayat Samitis Act”), for the existing provisos, the following provisos shall be substituted, namely :—

Amendment of
section 12A of
Mah. V of
1962.

“Provided that, for the General or bye-elections for which the last date of filing of nomination falls on or before the 28th February 2021, 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 twelve months from the date on which he is declared elected, the Validity Certificate issued by the Scrutiny Committee :

Provided further that, if such person fails to produce the Validity Certificate within a period of twelve 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 Councillor.”.

5. In section 42 of the Maharashtra Zilla Parishads and Panchayat Samitis Act, in sub-section (6A), for the existing provisos, the following provisos shall be substituted, namely :—

Amendment of
section 42 of
Mah. V of
1962.

“Provided that, for the elections for the post of President for which the last date of filing of nomination falls on or before the 28th February 2021, in accordance with the election programme declared, 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 twelve months from the date on which he is declared elected, the Validity Certificate issued by the Scrutiny Committee :

Provided further that, if such person fails to produce the Validity Certificate within a period of twelve 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 President.”.

6. In section 67 of the Maharashtra Zilla Parishads and Panchayat Samitis Act, in sub-section (7A), for the existing provisos, the following provisos shall be substituted, namely :—

Amendment of
section 67 of
Mah. V of
1962.

“Provided that, for the elections for the post of Chairman for which the last date of filing of nomination falls on or before the 28th February 2021, in accordance with the election programme declared, 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 twelve months from the date on which he is declared elected, the Validity Certificate issued by the Scrutiny Committee :

Provided further that, if such person fails to produce the Validity Certificate within a period of twelve 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 Chairman.”.