

HOME DEPARTMENT

Mantralaya, Mumbai 400 032, dated 12th February 2009.

Order

THE BOMBAY PROHIBITION ACT, 1949.

No. MIS. 1108/C.R. 7/EXC-3.—In exercise of the powers conferred by sub-sections (1) and (2) of section 139 of the Bombay Prohibition Act, 1949 (Bom. XXV of 1949) and of all other powers enabling it in that behalf, the Government of Maharashtra is hereby pleased to amend the Bombay Prohibition (Closure of licence on Resolution by *Gram Sabha* or representation by Voters in the Ward of Municipal Council/Corporation) Order, 2008, as follows, namely :—

In the Bombay Prohibition (Closure of licence on Resolution by *Gram Sabha* or representation by Voters in the Ward of Municipal Council/Corporation) Order, 2008,—

(a) after clause 3, the following clause shall be inserted, namely :—

“(3A) If, not less than Twenty-five per cent of the women voters or total voters in any village give a representation in writing to the concerned Superintendent of State Excise and demand to close down the liquor shop in a village, such application shall be verified by the Superintendent of State Excise. After verification of authenticity of signature on the representation and its genuinity, the Collector shall direct the concerned Tahasildar, to take secret poll fearlessly by utilizing a specimen balot paper appended herewith. Thereafter, the concerned Tahsildar shall declare place, date and time of election at least seven days in advance. The latest list of voters shall be used for such election. The election process of voters of that concerned village shall be completed by secret ballot under the supervision of the concerned Tahsildar or an Officer not below the rank of Naib Tahasildar, authorised by him. The representative of Superintendent not below the rank of Inspector of State Excise and the liquor licensee shall be allowed to remain present during the poll. If, in such election more than fifty per cent. of the women voters or total voters of the concerned village vote for closing down the liquor shop, the Collector shall pass an order for closing down such liquor shop.”

(b) in clause 5,—

(i) in the title, for the words, brackets and figure “ or representation under clause (4) received”, the words, brackets and figure “or representation under clauses (3A) and (4) received ” shall substituted ;

(ii) for the words, brackets and figure “ representation from ward of Municipal Council or Corporation under clause (4)”, the words, brackets and figure “ representation from Village or Ward of Municipal Council or Corporation under clauses (3A) and (4) ” shall be substituted ;

(c) In clause 9, for the words “ Name of the Ward in case of Municipal Corporation/Municipal Council ”, the words “ Name of the Village or Ward in case of Municipal Corporation/Municipal Council ”, shall be substituted.

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

P. T. GOUD,
Joint Secretary to Government.