



The Gujarat Local Authorities Laws (Amendment) Act, 1962

Act 16 of 1962

Keyword(s):

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The Gujarat Government Gazette

EXTRAORDINARY

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The following Act of the Gujarat Legislature, having been assented to by the Governor on the 18th July 1962, is hereby published for general information.

M. G. MONANI,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. XVI OF 1962

(First published, after having received the assent of the Governor in the "Gujarat Government Gazette" on the 25th July 1962).

An Act to provide for the continuance for a further period of eight years, of reservation of seats for women and for the Scheduled Castes and Scheduled Tribes in local authorities in the State of Gujarat and for that purpose further to amend the laws relating to such local authorities.

It is hereby enacted in the Thirteenth Year of the Republic of India, as follows:—

1. (1) This Act may be called the Gujarat Local Authorities Laws (Amendment) Act, 1962.

Short title
and com-
cement.

(2) It shall come into force at once.

2. Each of the laws specified in the second column of the Schedule shall be amended and shall be deemed always to have been amended with effect on and from the 25th January 1962 in the manner, and to the extent, specified against it in the third column thereof.

3. (1) Nothing in this Act shall affect the right of any councillor or member elected, selected, appointed or nominated to fill any seat reserved for women and for Scheduled Castes or Scheduled Tribes to continue as a councillor or member of a local authority during the term of the office for which he was duly elected, selected, appointed or nominated before this Act comes into force.

(2) Any action taken or any thing done before the commencement of this Act, which but for provisions of this Act, would have been invalid, shall be valid as if the provisions of this Act had been in force when such action was taken or thing done.

4. The Gujarat Local Authorities Laws (Amendment) Ordinance, 1962 is hereby repealed and the provisions of sections 7 and 25 of the Bombay General Clauses Act, 1901 shall apply to such repeal as if that Ordinance were an amendment.

Guj. Ord. No. 111 of 1962. Bom. I of 1904.

SCHEDULE

(See section 2)

Serial Number	Short title	Extent of amendment
1	2	3
1	(i) Bombay District Municipal Act, 1901 (Bom. III of 1901); and (ii) that Act as in force in the Saurashtra area of the State of Gujarat by virtue of the State of Saurashtra (Application of Central and Bombay Acts) Ordinance, 1948 (Sau. Ord. XXV of 1948).	In sub-section (1) of section 11, in clause (d), for the words "twelve years" the words "twenty years" shall be substituted.
2	Bombay Local Boards Act, 1923 (Bom. VI of 1923).	In section 6A as also in the marginal note to that section, for the words "twelve years" the words "twenty years" shall be substituted.
3	(i) Bombay Municipal Boroughs Act, 1925 (Bom. XVIII of 1925); and (ii) that Act as in force in the Saurashtra area of the State of Gujarat by virtue of the State of Saurashtra (Application of Central and Bombay Acts) Ordinance, 1948 (Sau. Ord. XXV of 1948).	In sub-section (1) of section 10, in clause (d), for the words "twelve years" the words "twenty years" shall be substituted.

Serial Number 1	Short title 2	Extent of amendment 3
4 Bombay Municipal Boroughs Act, 1925 (Bom. XVIII of 1925) as in force in the Kutch area of the State of Gujarat by virtue of the Part C States Laws Act, 1950 (XXX of 1950).	In sub-section (1A) of section 10, for the words "twelve years" the words "twenty years" shall be substituted.	
5 Bombay Provincial Municipal Corporations Act, 1919 (Bom. LIX of 1919).	In section 5, in the second proviso, for the portion beginning with the words "for the purpose" and ending with the words "so held", the following shall be substituted, namely :— "for the purpose of any general election held before the expiration of the period for the time being specified in article 334 of the Constitution of India, and for by-elections (if any) before the next general election after the expiration of such period, so held."	
6 Bombay Village Panchayats Act, 1958 (Bom. III of 1959).	In sub-section (2) of section 10, for the words "twelve years" the words "twenty years" shall be substituted.	



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PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the Governor on the 1st September, 1980 is hereby published for general information.

N. B. PATEL,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 13 OF 1980.

(First published after having received the assent of the Governor in the "Gujarat Government Gazette" on the 3rd September, 1980).

An Act to provide for the continuance for a period of ten years, of reservation of seats for women and for the Scheduled Castes and the Scheduled Tribes in certain local authorities in the State of Gujarat and for that purpose to amend the laws relating to such local authorities.

It is hereby enacted in the Thirty-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Gujarat Local Authorities Laws (Amendment) Act, 1980.

Short title
and commence-
ment.

(2) It shall be deemed to have come into force on the 29th April, 1980.

Amendment of section 5 of Bom. LIX of 1949. 2. In the Bombay Provincial Municipal Corporations Act, 1949, in section 5, in sub-section (4), for the words "thirty years" the words "forty years" shall be and shall be deemed always to have been substituted. Bom. LIX of 1949.

Amendment of section 34 of Guj. 1964. 3. In the Gujarat Municipalities Act, 1963, in section 6, in sub-section (4), for the words "thirty years" the words "forty years" shall be and shall be deemed always to have been substituted. Guj. 34 of 1964.

Validation of actions taken and things done. 4. Any action taken or anything done in relation to the reservation of seats for women and for the Scheduled Castes and the Scheduled Tribes in a municipal corporation under the Bombay Provincial Municipal Corporations Act, 1949 or a municipality under the Gujarat Municipalities Act, 1963 after the 25th January, 1980 and before the commencement of the Gujarat Local Authorities Laws (Amendment) Ordinance, 1980, shall be deemed to have been validly taken or done in accordance with law, as if, the Bombay Provincial Municipal Corporations Act, 1949, or, as the case may be, the Gujarat Municipalities Act, 1963 had been in force as amended by this Act at all material times when such action was taken or thing was done and accordingly no such action or thing shall be called in question in any court of law on the ground that there was no provision for the reservation of seats for women and for the Scheduled Castes and the Scheduled Tribes in those Acts, at the material time. Bom. LIX of 1949. Guj. 34 of 1964. Guj. Ord. 12 of 1980.

Repeal and saving. 5. (1) The Gujarat Local Authorities Laws (Second Amendment) Ordinance, 1980 is hereby repealed. Guj. Ord. 13 of 1980.

(2) Notwithstanding such repeal, anything done or any action taken under the Bombay Provincial Municipal Corporations Act, 1949 as amended by the said Ordinance or, as the case may be, the Gujarat Municipalities Act, 1963 as amended by the said Ordinance shall be deemed to have been done or taken under the Bombay Act or the Gujarat Act, as amended by this Act. Bom. LIX of 1949. Guj. 34 of 1964.



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P A R T I V

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor

The following Act of the Gujarat Legislature having been assented to by the Governor on the 28th June, 1990 is hereby published for general information.

R. M. MEHTA,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 5 OF 1990

(First published, after having received the assent of the Governor in the "Gujarat Government Gazette" on the 29th June, 1990).

AN ACT

to provide for the continuance for a period of ten years, of reservation of seats for women and for the Scheduled Castes and the Scheduled Tribes in certain local authorities in the State of Gujarat and for that purpose to amend the laws relating to such local authorities.

It is hereby enacted in the Forty-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Gujarat Local Authorities Laws (Amendment) Act, 1990.

(2) It shall be deemed to have come into force on the 13th April, 1990.

Short
title and
commence-
ment.

Amendment
of section
5 of Bom.
M.C. Act of 1949.

2. In the Bombay Provincial Municipal Corporations Act, 1949, in section 5, in sub-section (4), for the words "forty years", the words "fifty years" shall be and shall be deemed always to have been substituted.

Bom. LIX
of 1949.

Amendment
of section 6
of Guj. M.C.
Act of 1963.

3. In the Gujarat Municipalities Act, 1963, in section 6, in sub-section (4), for the words "forty years", the words "fifty years" shall be and shall be deemed always to have been substituted.

Guj. 24
of 1963.

Repeal
and
revival.

4. (1) The Gujarat Local Authorities Laws (Amendment) Ordinance, 1990 is hereby repealed.

Guj. Ord.
3 of
1990.

(2) Notwithstanding such repeal, anything done or any action taken under the Bombay Provincial Municipal Corporations Act, 1949 as amended by the said Ordinance or, as the case may be, the Gujarat Municipalities Act, 1963 as amended by the said Ordinance shall be deemed to have been done or taken under the Bombay Act or the Gujarat Act, as amended by this Act.

Bom.
LIX of
1949.
Guj. 24
of 1963.



सत्यमेव जयते

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PART IV

Acts of the Gujarat Legislature and Ordinances promulgated
and regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 23rd March, 2005 is hereby published for general information.

S. S. PARMAR,

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 17 OF 2005.

(First published, after having received the assent of the Governor in the "Gujarat Government Gazette", on the 23rd March, 2005).

AN ACT

further to amend the Bombay Provincial Municipal Corporations Act, 1949,
the Gujarat Municipalities Act, 1963 and
the Gujarat Panchayats Act, 1993

It is hereby enacted in the Fifty-sixth Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Local Authorities Laws (Amendment) Act, 2005.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Short title
and
commence-
ment.

Amendment
of section 10
of Bom.LIX of
1949.

2. In the Bombay Provincial Municipal Corporations Act, 1949, in section 10, in sub-section (1), after clause (i), the following clause shall be inserted, namely:-

Bom. LIX
of 1949.

"(j) has more than two children:

Provided that a person having more than two children on the date of commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2005 (hereinafter in this clause referred to as "the date of such commencement"), shall not be disqualified under this clause so long as the number of children he had on the date of such commencement does not increase:

Guj. 17 of
2005.

Provided further that a child or more than one child born in a single delivery within the period of one year from the date of such commencement shall not be taken into consideration for the purpose of disqualification under this clause.

Explanation .- For the purpose of this clause,-

(i) where a couple has only one child on or after the date of such commencement, any number of children born out of single subsequent delivery shall be deemed to be one entity;

(ii) 'child' does not include an adopted child or children."

Amendment of
section 11 of
Guj. 34 of 1964.

3. In the Gujarat Municipalities Act, 1963, in section 11, in sub-section (1), after clause (g), the following clause shall be inserted, namely:-

Guj. 34 of
1964.

"(h) who has more than two children:

Provided that a person having more than two children on the date of commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2005 (hereinafter in this clause referred to as "the date of such commencement"), shall not be disqualified under this clause, so long as the number of children he had on the date of such commencement does not increase:

Guj. 17 of
2005.

Provided further that a child or more than one child born in a single delivery within the period of one year from the date of such commencement shall not be taken into

consideration for the purpose of disqualification under this clause.

Explanation .- For the purpose of this clause,-

(i) where a couple has only one child on or after the date of such commencement, any number of children born out of single subsequent delivery shall be deemed to be one entity;

(ii) 'child' does not include an adopted child or children."

Guj. 18 of
1993.

4. In the Gujarat Panchayats Act, 1993, in section 30, in sub-section (1), after clause (l), the following clause shall be inserted, namely:-

**Amendment of
section 30 of
Guj. 18 of
1993.**

"(m) has more than two children:

Guj. 17 of
2005.

Provided that a person having more than two children on the date of commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2005 (hereinafter in this clause referred to as "the date of such commencement"), shall not be disqualified under this clause so long as the number of children he had on the date of such commencement does not increase:

Provided further that a child or more than one child born in a single delivery within the period of one year from the date of such commencement shall not be taken into consideration for the purpose of disqualification under this clause.

Explanation.- For the purpose of this clause,-

(i) where a couple has only one child on or after the date of such commencement, any number of children born out of single subsequent delivery shall be deemed to be one entity;

(ii) 'child' does not include an adopted child or children."

Extra No. 21

REGISTERED No. G/GNR/2



सत्यमेव जयते

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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations
made by the Governor.

The following Act of the Gujarat legislature, having been assented to by the Governor on the 3rd May, 2011, is hereby published for general information.

C. J. GOTHI,

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 21 OF 2011.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 4th April, 2011)

AN ACT

further to amend the Bombay Provincial Municipal Corporations Act, 1949, the Gujarat Municipalities Act, 1963 and the Gujarat Panchayats Act, 1993.

It is hereby enacted in the Sixty-second Year of the Republic of India as follows:-

1. This Act may be called the Gujarat Local Authorities Laws (Amendment) Act, 2011. **Short title.**

- Amendment of section 2 of Bom. LIX of 1949.** 2. In the Bombay Provincial Municipal Corporations Act, 1949 **Bom. LIX of 1949.** (hereinafter referred to as "the Municipal Corporations Act"), in section 2, after clause (34A), the following clause shall be inserted, namely :-

“(34AA) “mobile tower” means a temporary or permanent structure, equipment or instrument erected or installed on land or upon any part of the building or premises for providing telecommunication services;”.

- Insertion of new section 108A in Bom. LIX of 1949.** 3. In the Municipal Corporations Act, in Chapter IX, after section 108, the following section shall be inserted, namely :-

Audit and technical guidance and supervision over audit.

“108A. (1) The accounts of the municipal corporation shall be audited under the provisions of the Gujarat Local Fund Audit Act, 1963.

Guj. XLIX of 1963.

(2) Notwithstanding anything contained in this Act, the State Government shall entrust the Comptroller and Auditor General of India the technical guidance and supervision over the audit of the municipal corporation.

(3) The State Government shall cause the audit report under the Gujarat Local Fund Audit Act, 1963 along with the report of the Comptroller and Auditor General of India on technical guidance and supervision as referred to in sub-sections (1) and (2), to be laid before the State Legislature.”.

Guj. XLIX of 1963.

- Amendment of section 127 of Bom. LIX of 1949.** 4. In the Municipal Corporations Act, in section 127, in sub-section (1), after clause (b), the following clause shall be inserted, namely :-

“(c) a tax on mobile towers:”.

5. In the Municipal Corporations Act, after section 145, the following sub-heading and section shall be inserted, namely :-

Insertion of new section 145A in Bom. LIX of 1949.

“Tax on Mobile Towers

Tax on mobile towers.

145A. (1) A tax at the rates not exceeding those prescribed by order in writing by the State Government in this behalf from time to time shall be levied on mobile towers from the person engaged in providing telecommunication services through such mobile towers.

- (2) The Corporation shall from year to year, in accordance with section 99, determine the rates at which the tax shall be levied.”.

- Guj. 34 of 1964. 6. In the Gujarat Municipalities Act, 1963 (hereinafter referred to as “the Municipalities Act”), in section 2, after clause (12A), the following clause shall be inserted, namely :-

Amendment of section 2 of Guj. 34 of 1964.

“(12B) “mobile tower” means a temporary or permanent structure, equipment or instrument erected or installed on land or upon any part of the building or premises for providing telecommunication services;”.

7. In the Municipalities Act, in section 33, for sub-section (1), the following sub-section shall be substituted, namely:-

Amendment of section 33 of Guj. 34 of 1964.

“(1) (a) The term of office of the President and Vice-President of a municipality shall be two and half years.

(b) Subject to the other provisions of this section, the President or the Vice-President shall be eligible for re-election.

(c) Subject to the other provisions of this section, the Vice-President of a municipality who has completed the term of two and half years on or before the commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2011, shall continue to hold the office of the Vice-President till the expiry of the term of that municipality.”.

Guj. 21 of 2011.

- Amendment of section 77 of Guj. 34 of 1964.** 8. In the Municipalities Act, in section 77, after sub-section (3), the following sub-sections shall be inserted, namely:- **Guj. 34 of 1964.**
- “(4) Notwithstanding anything contained in the preceding sub-sections, the State Government shall entrust the Comptroller and Auditor General of India the technical guidance and supervision over the audit of the municipality.
- (5) The State Government shall cause the audit report under the Gujarat Local Fund Audit Act, 1963 referred to in sub-section (1) alongwith the report of the Comptroller and Auditor General of India on technical guidance and supervision as referred to in sub-section (4), to be laid before the State Legislature.” **Guj. XLIX of 1963.**
- Amendment of section 99 of Guj. 34 of 1964.** 9. In the Municipalities Act, in section 99, in sub-section (1), after clause (xiv), the following clause shall be inserted, namely:-
- “(xiv-a) a tax on mobile towers to be levied from the person engaged in providing telecommunication services through such mobile towers;”.
- Amendment of section 2 of Guj. 18 of 1993.** 10. In the Gujarat Panchayats Act, 1993 (hereinafter referred to as “the Panchayats Act”), in section 2, after clause (12), the following clause shall be inserted, namely:- **Guj. 18 of 1993.**
- “(12A) “mobile tower” means a temporary or permanent structure, equipment or instrument erected or installed on land or upon any part of the building or premises for providing telecommunication services;”.
- Amendment of section 121 of Guj. 18 of 1993.** 11. In the Panchayats Act, in section 121, after sub-section (1), the following sub-sections shall be inserted, namely :-

“(1A) Notwithstanding anything contained in sub-section (1), the State Government shall entrust the Comptroller and Auditor General of India the technical guidance and supervision over the audit of the village panchayat.

Guj. XLIX
of 1963.

(1B) The State Government shall cause the audit report under the Gujarat Local Fund Audit Act, 1963 referred to in sub-section (1) alongwith the report of the Comptroller and Auditor General of India on technical guidance and supervision as referred to in sub-section (1A), to be laid before the State Legislature.”.

12. In the Panchayats Act, section 143 shall be numbered as sub-section (1) of that section and after sub-section (1) as so renumbered, the following sub-sections shall be inserted, namely:-

**Amendment
of section 143
of Guj. 18 of
1993.**

“(2) Notwithstanding anything contained in sub-section (1), the State Government shall entrust the Comptroller and Auditor General of India the technical guidance and supervision over the audit of the taluka panchayat.

Guj. XLIX
of 1963.

(3) The State Government shall cause the audit report under the Gujarat Local Fund Audit Act, 1963 referred to in sub-section (1) alongwith the report of the Comptroller and Auditor General of India on technical guidance and supervision as referred to in sub-section (2), to be laid before the State Legislature.”.

13. In the Panchayats Act, in section 166, after sub-section (2), the following sub-sections shall be inserted, namely:-

**Amendment
of section 166
of Guj. 18 of
1993.**

“(3) Notwithstanding anything contained in sub-section (2), the State Government shall entrust the Comptroller and Auditor General of India the technical guidance and supervision over the audit of the district panchayat.

Guj. XLIX
of 1963.

(4) The State Government shall cause the audit report under the Gujarat Local Fund Audit Act, 1963 referred to in sub-section (2)

alongwith the report of the Comptroller and Auditor General of India on technical guidance and supervision as referred to in sub-section (3), to be laid before the State Legislature.”.

Amendment of section 200 of Guj. 18 of 1993.

14. In the Panchayats Act, in section 200,-

(1) in sub-section (1), after clause (i), the following clause shall be inserted, namely:-

“(i-a) a tax on mobile towers;”;

(2) after sub-section (4), and the proviso thereunder, the following sub-section shall be inserted, namely:-

“(4A) a tax on mobile towers referred to in clause (i-a) of sub-section (1) shall be levied from the person engaged in providing telecommunication services through such mobile towers.”.

Extra No. 23



सत्यमेव जयते

REGISTERED No. L2/RNP/G/GNR/84

वार्षिक खर्चा ६२ रु. ३०००/-

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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and
Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 4th November, 2014, is hereby published for general information.

C. J. GOTH,

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 21 OF 2014.

(First published, after having received the assent of the Governor, in the "*Gujarat Government Gazette*", on the 5th November, 2014).

AN ACT

further to amend the Bombay Provincial Municipal Corporations Act, 1949,
the Gujarat Municipalities Act, 1963 and
the Gujarat Panchayats Act, 1993.

It is hereby enacted in the Sixtieth Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Local Authorities Laws (Amendment) Act, 2009. Short title and commencement.
- (2) This section shall come into force at once and the remaining provisions shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint and different dates may be appointed for different provisions of the Act.

Amendment of section 5 of Bom.LIX of 1949. 2. In the Bombay Provincial Municipal Corporations Act, 1949 (hereinafter referred to as "the Municipal Corporations Act"), in section 5, - **Bom. LIX of 1949.**

- (1) in sub-section (5), for the word "One-third", the words "As nearly as may be one-half" shall be substituted;
- (2) in sub-section (6), for the words "one third", the words "as nearly as may be one-half" shall be substituted;
- (3) in sub-section (7), for the word "One-third", the words "As nearly as may be one-half" shall be substituted.

Insertion of new sections in Bom. LIX of 1949. 3. In the Municipal Corporations Act, after section 16, the following sections shall be inserted, namely:-

"OBLIGATION TO VOTE

Obligation to vote. 16A. (1) It shall be the duty of a qualified voter of the Municipal Corporation to vote at the election of the Municipal Corporation, however, he will be free to cast his vote in favour of none of the candidates contesting election as indicated in sub-section (2).

(2) The qualified voter shall cast his vote in favour of none of the candidates contesting election, in the manner as may be prescribed by rules, in case where he does not want to cast his vote in favour of any candidate.

Declaration of a voter to be a defaulter voter. 16B. (1) The election officer, as may be designated by the State Election Commission, may declare the voter to be the defaulter voter who failed to vote at the election of a Municipal Corporation after giving him a notice in the form prescribed by rules.

(2) The State Government shall be competent to prescribe by rules to be laid before the State Legislature, the disadvantages or consequences to be suffered by a defaulter voter.

Valid and sufficient reasons for not voting. 16C. A qualified voter shall be exempted to vote at the election of the Municipal Corporation -

- (1) if he is physically incapable due to illness to vote or other bodily infirmity to come and discharge his obligation, or
- (2) if he is absent on the date of election from the country or State of Gujarat, or
- (3) for such other valid and sufficient reasons as may be prescribed by rules by the State Government in consultation with the State Election Commission.

16D. (1) An election officer shall issue a notice to the voter who failed to vote at the election of the Municipal Corporation. **Notice.**

(2) The election officer shall by a notice inform the voter that he appears to have failed to vote at the election and that it is the duty of voter to vote at election. The voter may within a period of one month inform the valid and sufficient reasons, if any, for not voting alongwith supporting documents such as medical certificate, a copy of passport, etc.

(3) If no reply to the notice referred to in sub-section (1) is received within a period of one month or where the voter writes to the election officer reasons for not voting and where the election officer is not satisfied with the reasons given by voter as valid and sufficient, the election officer shall by an order in writing containing reasons declare him a defaulter voter.

16E. (1) The voter who is aggrieved by the order of the election officer under section 16D may prefer an appeal in the form prescribed by rules, within a period of one month, to the Appellate Officer designated as such by the State Election Commission. **Appeal.**

(2) The Appellate Officer after providing an opportunity of being heard to the appellatant may pass an appropriate order. The order of the Appellate Officer shall be final.”.

Guj. 34
of 1964.

4. In the Gujarat Municipalities Act, 1963 (hereinafter referred to as “the Municipalities Act”), in section 6,--

**Amendment of
section 6 of
Guj. 34 of 1964.**

(1) in sub-section (2), -

- (i) in clause (a), for the figure “21”, the figure “24” shall be substituted;
- (ii) in clause (b), for the figure “27”, the figure “28” shall be substituted;
- (iii) in clause (d), for the figure “42”, the figure “44” shall be substituted;
- (iv) in clause (e), for the figure “51”, the figure “52” shall be substituted;

(2) in sub-section (3),-

- (i) in clause (b), for the word “One-third”, the words “As nearly as may be one-half” shall be substituted;
- (ii) in clause (c), for the word “one-third”, the words “as nearly as may be one-half” shall be substituted;
- (iii) in clause (d), for the word “one-third”, the words “As nearly as may be one-half” shall be substituted.

Insertion of new sections in Guj. 34 of 1964. **5.** In the Municipalities Act, after section 15, the following sections shall be inserted, namely:-

“OBLIGATION TO VOTE

Obligation to vote. **15A.** (1) It shall be the duty of a qualified voter of the Municipality to vote at the election of the Municipality, however, he will be free to cast his vote in favour of none of the candidates contesting election as indicated in sub-section (2).

(2) The qualified voter shall cast his vote in favour of none of the candidates contesting election, in the manner as may be prescribed by rules, in case where he does not want to cast his vote in favour of any candidate.

Declaration of a voter to be a defaulter voter. **15B.** (1) The election officer, as may be designated by the State Election Commission, may declare the voter to be the defaulter voter who failed to vote at the election of a Municipality after giving him a notice in the form prescribed by rules.

(2) The State Government shall be competent to prescribe by rules to be laid before the State Legislature, the disadvantages or consequences to be suffered by a defaulter voter.

Valid and sufficient reasons for not voting. **15C.** A qualified voter shall be exempted to vote at the election of the Municipality –

- (1) if he is physically incapable due to illness to vote or other bodily infirmity to come and discharge his obligation, or
- (2) if he is absent on the date of election from the country or State of Gujarat, or
- (3) for such other valid and sufficient reasons as may be prescribed by rules by the State Government in consultation with the State Election Commission.

Notice. **15D.** (1) An election officer shall issue a notice to the voter who failed to vote at the election of the Municipality.

(2) The election officer shall by a notice inform the voter that he appears to have failed to vote at the election and that it is the duty of voter to vote at election. The voter may within a period of one month inform the valid and sufficient reasons, if any, for not voting alongwith supporting documents such as medical certificate, a copy of passport, etc.

(3) If no reply to the notice referred to in sub-section (1) is received within a period of one month or where the voter writes to the election officer reasons for not voting and where the election officer is not satisfied with the reasons given by voter as valid and sufficient, the election officer shall by an order in writing containing reasons declare him a defaulter voter.

15E. (1) The voter who is aggrieved by the order of the election officer under section 15D may prefer an appeal in the form prescribed by rules, within a period of one month, to the Appellate Officer designated as such by the State Election Commission. **Appeal.**

(2) The Appellate Officer after providing an opportunity of being heard to the appellant may pass an appropriate order. The order of the Appellate Officer shall be final.”.

Guj. 18 of 1993.

6. In the Gujarat Panchayats Act, 1993 (hereinafter referred to as “the Panchayats Act”), in section 9,-

(1) in sub-section (4), for the word “seven”, occurring at two places, the word “eight” shall be substituted;

Amendment of section 9 of Guj. 18 of 1993.

(2) in sub-section (5),-

(i) in clause (b), for the words “One third”, the words “As nearly as may be one-half” shall be substituted;

(ii) in clause (c), for the words “One third”, the words “As nearly as may be one-half” shall be substituted.

7. In the Panchayats Act, in section 10,-

Amendment of section 10 of Guj. 18 of 1993.

(1) in sub-section (4), for the word “fifteen”, occurring at two places, the word “sixteen” shall be substituted;

(2) in sub-section (5),-

(i) in clause (b), for the words “One third”, the words “As nearly as may be one-half” shall be substituted;

(ii) in clause (c), for the words “One third”, the words “As nearly as may be one-half” shall be substituted.

8. In the Panchayats Act, in section 11,-

Amendment of section 11 of Guj. 18 of 1993.

(1) in sub-section (4), for the word “seventeen”, occurring at two places, the word “eighteen” shall be substituted;

- (2) in sub-section (5),-
- (i) in clause (b), for the words "One third", the words "As nearly as may be one-half" shall be substituted;
 - (ii) in clause (c), for the words "One third", the words "As nearly as may be one-half" shall be substituted.

Insertion of new sections in Guj. 18 of 1993.

9. In the Panchayats Act, after section 34, the following sections shall be inserted, namely:-

"OBLIGATION TO VOTE

Obligation to vote.

34A. (1) It shall be the duty of a qualified voter of the Panchayats to vote at the election of the Panchayat, however, he will be free to cast his vote in favour of none of the candidates contesting election as indicated in sub-section (2).

(2) The qualified voter shall cast his vote in favour of none of the candidates contesting election, in the manner as may be prescribed by rules, in case where he does not want to cast his vote in favour of any candidate.

Declaration of a voter to be a defaulter voter.

34B. (1) The election officer, as may be designated by the State Election Commission, may declare the voter to be the defaulter voter who failed to vote at the election of a Panchayat after giving him a notice in the form prescribed by rules.

(2) The State Government shall be competent to prescribe by rules to be laid before the State Legislature, the disadvantages or consequences to be suffered by a defaulter voter.

Valid and sufficient reasons for not voting.

34C. A qualified voter shall be exempted to vote at the election of the Panchayat –

- (1) if he is physically incapable due to illness to vote or other bodily infirmity to come and discharge his obligation, or
- (2) if he is absent on the date of election from the country or State of Gujarat, or
- (3) for such other valid and sufficient reasons as may be prescribed by rules by the State Government in consultation with the State Election Commission.

Notice.

34D. (1) An election officer shall issue a notice to the voter who failed to vote at the election of the Panchayats.

(2) The election officer shall by a notice inform the voter that he appears to have failed to vote at the election and that it is the duty of voter to vote at election. The voter may within a period of one month inform the valid and sufficient reasons, if any, for not voting alongwith supporting documents such as medical certificate, a copy of passport, etc.

(3) If no reply to the notice referred to in sub-section (1) is received within a period of one month or where the voter writes to the election officer reasons for not voting and where the election officer is not satisfied with the reasons given by voter as valid and sufficient, the election officer shall by an order in writing containing reasons declare him a defaulter voter.

34E. (1) The voter who is aggrieved by the order of the election officer under section 34D may prefer an appeal in the form prescribed by rules, within a period of one month, to the Appellate Officer designated as such by the State Election Commission. **Appeal.**

(2) The Appellate Officer after providing an opportunity of being heard to the appellatant may pass an appropriate order. The order of the Appellate Officer shall be final.”.

10. In the Panchayats Act, in section 51, in sub-section (2), in clause (b), in sub-clauses (i) and (ii), for the words “One third”, the words “As nearly as may be one-half” shall be substituted. **Amendment of section 51 of Guj. 18 of 1993.**

11. In the Panchayats Act, in section 63, in sub-section (2), in clause (b), in sub-clauses (i) and (ii), for the words “One third”, the words “As nearly as may be one-half” shall be substituted. **Amendment of section 63 of Guj. 18 of 1993.**

12. In the Panchayats Act, in section 77, in sub-section (2), in clause (b), in sub-clauses (i) and (ii), for the words “One third”, the words “As nearly as may be one-half” shall be substituted. **Amendment of section 77 of Guj. 18 of 1993.**

13. Notwithstanding anything contained in this Act, the Municipal Corporation, the Municipality or, as the case may be, the Panchayat constituted immediately before the commencement of the provisions of this Act, amending the Bombay Provincial Municipal Corporations Act, 1949, the Gujarat Municipalities Act, 1963 and the Gujarat Panchayats Act, 1993 shall continue till the expiration of its duration or till it is dissolved before its duration. **Continuance of existing municipal corporations, municipalities and panchayats.**

Bom. LIX of 1949.
Guj. 34 of 1964.
Guj. 18 of 1993.



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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations
made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 27th November, 2014, is hereby published for general information.

C. J. GOTHI,

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 23 OF 2014.

(First published, after having received the assent of the Governor, in the
"Gujarat Government Gazette", on the 28th November, 2014)

AN ACT

further to amend the Gujarat Provincial Municipal Corporations Act, 1949,
the Gujarat Municipalities Act, 1963 and the Gujarat Panchayats Act, 1993.

It is hereby enacted in the Sixty-fifth Year of the Republic of India
as follows:-

1. (1) This Act may be called the Gujarat Local Authorities Laws
(Amendment) Act, 2014.

Short title and
commencement.

(2) It shall come into force on such date as the State
Government may, by notification in the *Official Gazette*, appoint.

Amendment of
section 10 of Bom.
LIX of 1949.

2. In the Gujarat Provincial Municipal Corporations Act, 1949 (hereinafter referred to as "the Municipal Corporations Act"), in section 10, in sub-section (1), after clause (h), the following clause shall be inserted, namely:-

Bom. LIX of
1949.

"(hh) has no facility of water closet or privy accommodation at the place of his ordinary residence:

Provided that a sitting Councillor shall be deemed to have incurred disqualification if he does not submit to the Municipal Commissioner, within six months from the date of commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2014, a certificate issued by the concerned Deputy Municipal Commissioner of the Corporation in whose jurisdiction his ordinary residence is situated, to the effect that he is having facility of water closet or privy accommodation at the place of his ordinary residence;"

Guj. 23 of 2014.

Amendment of
section 15 of Bom.
LIX of 1949.

3. In the Municipal Corporations Act, in section 15, in sub-section (1), for the words "three months", the words "six months" shall be substituted.

Amendment of
section 11 of Guj.
34 of 1964.

4. In the Gujarat Municipalities Act, 1963, in section 11, in sub-section (1), after clause (f), the following clause shall be inserted, namely:-

Guj. 34 of 1964.

"(ff) has no facility of water closet or privy accommodation at the place of his ordinary residence :

Provided that a sitting Councillor shall be deemed to have incurred disqualification if he does not submit to the District Collector, within six months from the date of commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2014, a certificate issued by the Chief Officer of the concerned Municipality in whose jurisdiction his ordinary residence is situated, to the effect that he is having facility of water closet or privy accommodation at the place of his ordinary residence.

Guj. 23 of 2014.

Explanation.- For the purpose of this clause, "water closet or privy accommodation" shall have the same meaning as is given to the term "water closet" in Explanation to section 167A of the Act;"

Amendment
of section 7
of Guj. 18 of
1993.

5. In the Gujarat Panchayats Act, 1993 (hereinafter referred to as "the Panchayats Act"), in section 7, in sub-section (1), for the words "fifteen thousand", the words "twenty-five thousand" shall be substituted.

Guj. 18 of
1993.

Amendment
of section 9
of Guj. 18 of
1993.

6. In the Panchayats Act, in section 9,-

(a) in sub-section (4), for the words "one thousand", the words "three thousand" shall be substituted;

(b) to sub-section (4), the following proviso shall be added, namely:-

“Provided that the amendment made in this sub-section by the Gujarat Local Authorities Laws (Amendment) Act, 2014 shall not have effect till the expiration of duration of any village panchayat, unless sooner dissolved.”

Guj. 23 of 2014.

7. In the Panchayats Act, in section 30, in sub-section (1), after clause (k), the following clause shall be inserted, namely:-

Amendment of section 30 of Guj. 18 of 1993.

“(kk) has no facility of water closet or privy accommodation at the place of his ordinary residence:

Provided that a sitting member shall be deemed to have incurred disqualification if he does not submit to the Taluka Development Officer of the taluka, within six months from the date of commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2014, a certificate issued by the Gram Panchayat Mantri of the panchayat in whose jurisdiction his ordinary residence is situated, to the effect that he is having facility of water closet or privy accommodation at the place of his ordinary residence.

Guj. 23 of 2014.

Explanation.- For the purpose of this clause, “water closet or privy accommodation” shall have the same meaning as is given to the term “water closet” in Explanation to section 107 of the Act;”



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 10th April, 2015, is hereby published for general information.

C. J. GOTHI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 15 OF 2015.

(First published, after having received the assent of the Governor, in the "*Gujarat Government Gazette*", on the 10th April, 2015).

AN ACT

further to amend the Gujarat Provincial Municipal Corporations Act, 1949, the Gujarat Municipalities Act, 1963 and the Gujarat Panchayats Act, 1993.

It is hereby enacted in the Sixty-sixth Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Local Authorities Laws (Amendment) Act, 2015.

Short title
and
commencement.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Bom. LIX
of 1949.

2. In the Gujarat Provincial Municipal Corporations Act, 1949 (hereinafter referred to as "the Municipal Corporations Act"), in section 20, -

- (1) sub-sections (3), (4), (5) and (6) shall be deleted;
- (2) after sub-section (6), the following sub-sections shall be inserted, namely :-

“(7) (i) The term of the members appointed under sub-section (2) shall be two and a half years;

(ii) the members shall be eligible for re-appointment.”.

(8) Notwithstanding anything contained in sub-section (7), the term of the existing members of the Standing Committee shall be governed in accordance with the relevant provisions as in force prior to the coming into force of the Gujarat Local Authorities Laws (Amendment) Act, 2015 as if such relevant provisions have not been omitted by the Amending Act of 2015, till a new Standing Committee is constituted upon the general elections of the Corporations held after the date of the commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2015.”.

Guj. 15 of 2015.

Guj. 15 of 2015.

Guj. 15 of 2015.

Amendment of section 21 of Bom. LIX of 1949.

3. In the Municipal Corporations Act, in section 21, for sub-sections (1) and (2), the following sub-sections shall be substituted, namely :-

“(1) The members of the Standing Committee shall appoint one of its members to be the Chairman on the same day on which they are appointed under sub-section (2) of section 20. The term of the Chairman shall be two and a half years.

(2) The Chairman shall be eligible for re-appointment.

(2A) Notwithstanding anything contained in sub-sections (1) and (2), the term of the Chairman shall be governed in accordance with the relevant provisions as in force prior to the coming into force of the Gujarat Local Authorities Laws (Amendment) Act, 2015 as if such relevant provisions have not been amended by the Amending Act, 2015, till a new Chairman is appointed upon the general elections of the Corporations held after the date of the commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2015.”.

Guj. 15 of 2015.

Guj. 15 of 2015.

Guj. 15 of 2015.

Amendment of section 25 of Bom. LIX of 1949.

4. In the Municipal Corporations Act, in section 25, -
- (i) for sub-sections (5), (6), (7) and (8), the following sub-sections shall be substituted, namely :-

“(5) The term of the members of the Transport Committee shall be two and a half years :

Provided that such term shall not extend beyond the term of the Corporation.

(6) The members shall be eligible for re-appointment.

(7) Notwithstanding anything contained in sub-sections (5) and (6), the term of the existing members of the Transport Committee shall be governed in accordance with the relevant provisions as in force prior to the coming into force of the Gujarat Local Authorities Laws (Amendment) Act, 2015 as if such relevant provisions have not been amended by the Amending Act, 2015, till a new Transport Committee is constituted upon the general elections of the Corporations held after the date of the commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2015.”.

Guj. 15 of
2015.

Guj. 15 of
2015.

Guj. 15 of
2015.

5. In the Municipal Corporations Act, in section 27, for sub-sections (1) and (2), the following sub-sections shall be substituted, namely:-

**Amendment
of section
27 of Bom.
LIX of 1949.**

“(1) The Transport Committee shall at its first meeting which shall be held on the same day of its constitution appoint one of its member to be the Chairman. The term of the Chairman shall be two and a half years.

(2) The Chairman shall be eligible for re-appointment.

(2A) Notwithstanding anything contained in sub-sections (1) and (2), the term of the existing Chairman shall be governed in accordance with the relevant provisions as in force prior to the coming into force of the Gujarat Local Authorities Laws (Amendment) Act, 2015 as if such relevant provisions have not been omitted by the Amending Act, 2015, till a new Chairman is appointed upon the general elections of the Corporations held after the date of the commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2015.”.

Guj. 15 of
2015.

Guj. 15 of
2015.

Guj. 15 of
2015.

6. In the Municipal Corporations Act, in section 30, -

**Amendment
of section
30 of Bom.
LIX of 1949.**

(1) after sub-section (3), the following sub-section shall be inserted, namely :-

“(3A) The term of the members of every Special Committee appointed by the Corporation upon the general elections held after the date of the commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2015 shall be two and a half years.”;

Guj. 15 of
2015.

(2) sub-section (7) shall be deleted.

Guj. 34 of
1964.

7. In the Gujarat Municipalities Act, 1963 (hereinafter referred to as “the Municipalities Act”), in section 53, -

**Amendment
of section
53 of Guj.
34 of 1949.**

(i) existing sub-section (1) shall be renumbered as clause (i) of that sub-section;

(ii) to clause (i), as so renumbered, the following proviso shall be inserted, namely :-

“Provided that the term of the Executive Committee constituted upon the general elections held after the date of commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2015 shall be two and a half years.”;

Guj. 15
of 2015.

- (iii) after clause (i), the following clause shall be inserted, namely :-
“(ii) the members shall be eligible for re-appointment.”.

Amendment
of section
55 of Guj.
34 of 1964.

8. In the Municipalities Act, in section 55, to sub-section (2), the following proviso shall be inserted, namely :-

“Provided that the term of such committees constituted upon the general elections held after the date of commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2015 shall be two and a half years.”.

Guj.15
of 2015.

Amendment of
section 59 of
Guj. 34 of
1964.

9. In the Municipalities Act, in section 59, to sub-section (2), the following proviso shall be inserted, namely :-

“Provided that the term of Chairman of any such committee appointed by the municipality upon the general elections held after the date of commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2015 shall be two and a half years.”.

Guj.15
of 2015.

Amendment of
section 51 of
Guj. 18 of
1993.

10. In the Gujarat Panchayats Act, 1993 (hereinafter referred to as “the Panchayats Act”), in section 51, in the marginal note, the words “Sarpanch and” shall be deleted.

Guj. 18
of 1993.

Amendment of
section 55 of
Guj. 18 of
1993.

11. In the Panchayats Act, in section 55, in sub-section (2), in clause (iii), for the words “fifty rupees”, the words “five hundred rupees” shall be substituted.

12. In the Panchayats Act, in section 61, -

Amendment of
section 61 of
Guj. 18 of
1993.

- (1) (i) in proviso to sub-section (1), for the words “four months”, the words “twelve months” shall be substituted;

(ii) after the existing proviso, the following proviso shall be inserted, namely:-

“Provided, however, that vacancy in the office of a member, if any, existing on the date of commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2015, may not be filled till the general election is held for re-constituting the panchayat immediately after coming into force of the Gujarat Local Authorities Laws (Amendment) Act, 2015.”;

Guj. 15
of 2015.

Guj. 15
of 2015.

- (2) in sub-section (2), the words “Sarpanch or” occurring at two places shall be deleted.

Substitution
of section 67
of Guj. 18 of
1993.

13. In the Panchayats Act, for section 67, the following section shall be substituted, namely :-

“67. (1) Save as otherwise provided in the Act, the term of office of members of a Taluka Panchayat shall be co-extensive with the duration of the Panchayat.

(2) The term of office of the President and the Vice-President of a Taluka Panchayat, save as otherwise provided in this Act, shall be two and a half years.

(3) There shall be called a meeting of the elected members of the Taluka Panchayat by the competent authority within thirty days before the expiry of the term of two and a half years for the election of President and the Vice-President from amongst such elected members.

(4) Subject to the other provisions of this section, the President or the Vice-President shall be eligible for re-appointment.

(5) If, during the term of his office under sub-section (2), the President or the Vice-President, ceases to be a member of the Panchayat, he shall vacate the office held by him.

(6) Notwithstanding anything contained in sub-section (2), the President or the Vice-President who has completed a period of two and a half years on the date of the commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2015, shall continue to hold the office till the remainder term of the Panchayat.”

Guj. 15
of 2015.

14. In the Panchayats Act, in section 75, -

(1) (i) in proviso to sub-section (1), for the words “four months”, the words “twelve months” shall be substituted;

(ii) after the existing proviso, the following proviso shall be inserted, namely:-

“Provided, however, that vacancy in the office of a member, if any, existing on the date of commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2015, may not be filled till the general election is held for re-constituting the panchayat immediately after coming into force of the Gujarat Local Authorities Laws (Amendment) Act, 2015.”;

Guj. 15
of 2015.

Guj. 15
of 2015.

(2) in sub-section (2), for the word and figures “section 62”, the word and figures “section 63” shall be substituted.

15. In the Panchayats Act, for section 81, the following section shall be substituted, namely :-

Amendment
of section 75
of Guj. 18 of
1993.

Substitution of
section 81 in
Guj. 18 of
1993.

Term of office
of members of
district
panchayat and
of President
and Vice-
President.

“81. (1) Save as otherwise provided in the Act, the term of office of the members of a District Panchayat shall be co-extensive with the duration of the Panchayat.

(2) The term of office of the President and the Vice-President of a District Panchayat, save as otherwise provided in this Act, shall be two and a half years.

(3) There shall be called a meeting of the elected members of the District Panchayat by the competent authority within thirty days before the expiry of the said term of two and a half years for the election of President and the Vice-President from amongst such elected members.

(4) Subject to the other provisions of this section, the President or the Vice-President shall be eligible for re-election.

(5) If, during the term of his office under sub-section (2), the President or the Vice-President, ceases to be a member of the Panchayat, he shall vacate the office held by him.

- Guj. 15 of 2015. (6) Notwithstanding anything contained in sub-section (2), the President or the Vice-President who has completed a period of two and a half years as such on the date of the commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2015, shall continue to hold the office till the remainder term of the Panchayat.”
- Amendment of section 87 of Guj. 18 of 1993. 16. In the Panchayats Act, in section 87, in the marginal note, the word “education” shall be deleted.
- Amendment of section 89 of Guj. 18 of 1993. 17. In the Panchayats Act, in section 89,
(i) in the proviso to sub-section (1), for the words “four months”, the words “twelve months” shall be substituted;
(ii) after the existing proviso, the following proviso shall be inserted, namely:-
“Provided, however, that vacancy in the office of a member, if any, existing on the date of commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2015, may not be filled till the general election is held for re-constituting the panchayat immediately after coming into force of the Gujarat Local Authorities Laws (Amendment) Act, 2015.”
- Amendment of section 91 of Guj. 18 of 1993. 18. In the Panchayats Act, in section 91, after the existing proviso the following proviso shall be added, namely :-
“Provided further that in case where such meeting is not called by the Sarpanch within a period of one month from the date of receipt of such written request, it shall be competent for the Taluka Development Officer to call such meeting on such date as may be specified by him.”
- Amendment of section 98 of Guj. 18 of 1993. 19. In the Panchayats Act, in section 98, –
(1) in sub-section (1), the words “who are not related to any of the members or the Sarpanch, as the case may be, of the village panchayat” shall be added at the end;
(2) after sub-section (1), the following *Explanation* shall be inserted, namely :-
“*Explanation.*- For the purposes of this sub-section, the parents, brother, sister, father-in-law, mother-in-law, husband, wife, son, daughter, son-in-law, daughter-in-law shall be deemed to be related to a member or the Sarpanch, as the case may be, of the village panchayat.”
- Amendment of section 100 of Guj. 18 of 1993. 20. In the Panchayats Act, in section 100, in sub-section (3), in the proviso, for the words “one hundred rupees”, the words “five thousand rupees” shall be substituted.
- Amendment of section 123 of Guj. 18 of 1993. 21. In the Panchayats Act, in section 123, in sub-section (9), for clause (b) and the proviso thereto, the following clause and provisos thereunder shall be substituted, namely :-
“(b) the term of the Executive Committee and the Social Justice Committee, shall be two and a half years :

Guj. 15 of 2015.

Guj. 15 of 2015.

Guj. 15
of 2015.

Provided that the term of the existing Executive Committee which has not completed a term of two years on the date of commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2015 shall be two and a half years or till the remainder period of duration of the Panchayat, whichever is earlier :

Guj. 15
of 2015.

Provided further that the term of the existing Social Justice Committee which has completed a term of two and a half years on the commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2015 shall be co-extensive with the duration of the Panchayat.”.

22. In the Panchayats Act, in section 131, in the proviso to sub-section (4), for the words “two hundred rupees”, the words “fifteen thousand rupees” shall be substituted.

Amendment
of section 131
of Guj. 18 of
1993.

23. In the Panchayats Act, in section 145, -

(1) in sub-section (1), in clause (vi), for the word and figures “section 241”, the word and figures “section 243” shall be substituted;

Amendment
of section 145
of Guj. 18 of
1993.

(2) for sub-section (9), the following sub-section shall be substituted, namely :-

“(9) (i) The term of the committees constituted under sub-section (1) shall be two and a half years :

Guj. 15
of 2015.

Provided that the term of the existing Social Justice Committee and Education Committee which have completed a term of two and a half years on the commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2015 shall be co-extensive with the duration of the Panchayat :

Guj.15
of 2015.

Provided further that the term of the Committees other than the Social Justice Committee and the Education Committee which have not completed a term of two years on the date of the commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2015 shall be two and a half years or till the remainder period of duration of the Panchayat, whichever is earlier.

(ii) The term of the committee or committees constituted under sub-section (2) shall not exceed one year.”.

24. In the Panchayats Act, in section 200, -

Amendment
of section 200
of Guj. 18 of
1993.

(i) in sub-section (1), in clause (xvi), after the word “premises”, the words “including shops and stalls” shall be inserted;

(ii) after sub-section (1), the following sub-section shall be inserted, namely :-

“(1A) Notwithstanding anything contained in sub-section (1), it shall be compulsory for a village panchayat to levy taxes and fees as referred to in clauses (i), (viii) and (ix) of said sub-section.”.

Amendment
of section 243
of Guj. 18 of
1993.

25. In the Panchayats Act, in section 243, -
- (i) in sub-section (1), for the words and figures "sections 104, 200 and 241", the words and figures "sections 104, 200 and 242" shall be substituted;
 - (ii) in sub-section (3), for the words "two years", the words "two and a half years" shall be substituted.
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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 17th May, 2017 is hereby published for general information.

K. M. LALA,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 24 OF 2017.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 17th May, 2017).

AN ACT

further to amend the Gujarat Provincial Municipal Corporations Act, 1949, the Gujarat Municipalities Act, 1963 and the Gujarat Panchayats Act, 1993.

It is hereby enacted in the Sixty-eighth Year of the Republic of India as follows:-

- (1) This Act may be called the Gujarat Local Authorities Laws (Amendment) Act, 2017. **Short title and commencement.**

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Amendment 2. In the Gujarat Provincial Municipal Corporations Act, 1949 (hereinafter Bom. LIX referred to as "Municipal Corporations Act"), in section 2, after clause (18A), of 1949. the following clause shall be inserted, namely-

"(18B) "entertainment" includes any exhibition, performance, amusement, game or sport to which persons are admitted for payment or in case of television exhibition with the aid of any type of antenna with a cable network attached to it or cable television, or direct-to-home (DTH) Broadcasting Service, for which persons are required to make payment by way or contribution or subscription or installation charges or connection charges or any other charges collected in any manner whatsoever."

Amendment 3. In the Municipal Corporation Act, in section 127, in sub-section (2),-
of section
127 of
Bom. LIX
of 1949.

(i) after clause (c), the following clause shall be inserted, namely:-

"(cc) a tax on entertainments.";

(ii) in clause (f), the words "or a tax on payment for admission to entertainment" shall be deleted.

Amendment 4. In the Gujarat Municipalities Act, 1963 (hereinafter referred to as "the Guj. 34 Municipalities Act"), in section 2, after clause (7A), the following clause of 1964. shall be inserted, namely:-
of section 2
of Guj. 34
of 1964.

"(7AA) "entertainment" includes any exhibition, performance, amusement, game or sport to which persons are admitted for payment or in case of television exhibition with the aid of any type of antenna with a cable network attached to it or cable television, or direct-to-home (DTH) Broadcasting Service, for which persons are required to make payment by way or contribution or subscription or installation charges or connection charges or any other charges collected in any manner whatsoever."

Amendment 5. In the Municipalities Act, in section 99, in sub-section (1),-
of section 99
of Guj. 34
of 1964.

(i) in clause (xv), the words "not being a tax on payments for admission to any entertainment" shall be deleted;

(ii) after clause (xv), the following clause shall be inserted, namely:-

"(xvi) a tax on entertainments."

Amendment 6. In the Gujarat Panchayats Act, 1993 (hereinafter referred to as "the Guj.18 Panchayats Act"), in section 2, after clause (7), the following clause shall be of 1993. inserted, namely:-
of section 2
of Guj. 18
of 1993.

"(7A) "entertainment" includes any exhibition, performance,

amusement, game or sport to which persons are admitted for payment or in case of television exhibition with the aid of any type of antenna with a cable network attached to it or cable television, or direct-to-home (DTH) Broadcasting Service, for which persons are required to make payment by way of contribution or subscription or installation charges or connection charges or any other charges collected in any manner whatsoever.”.

7. In the Panchayats Act, in section 200, in sub-section (1),-

(i) after clause (iv), the following clause shall be inserted, namely:-

“(iv-a) a tax on entertainments.”;

(ii) in clause (x), the words “or a tax on payment for admission to entertainment” shall be deleted.

**Amendment
of section 200
of Guj. 18
of 1993.**



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 27th September, 2023 is hereby published for general information.

K. M. LALA,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 17 OF 2023.

(First published, after having received the assent of the Governor, in the "*Gujarat Government Gazette*", on the 29th September, 2023).

AN ACT

further to amend the Gujarat Provincial Municipal Corporations Act, 1949, the Gujarat Municipalities Act, 1963 and the Gujarat Panchayats Act, 1993.

It is hereby enacted in the Seventy-fourth Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Local Authorities Laws (Amendment) Act, 2023. **Short title and commencement.**
- (2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

- | | | | |
|--|----|--|--------------------------|
| Amendment of section 5 of Bom. LIX of 1949. | 2. | <p>In the Gujarat Provincial Municipal Corporations Act, 1949, in section 5, in sub-section (6), -</p> <p>(i) for the words “One –tenth of the total number of seats”, the words “Twenty-seven per cent. of the total number of seats” shall be substituted;</p> <p>(ii) the following proviso shall be added, namely:-</p> <p>“Provided that the reservation available to the persons belonging to the Backward Classes shall be subject to aggregate reservation of fifty per cent. of the total number of seats.”.</p> | Bom. LIX of 1949. |
| Amendment of section 6 of Guj. 34 of 1964. | 3. | <p>In the Gujarat Municipalities Act, 1963, in section 6, in sub-section (3), in clause (c), -</p> <p>(i) for the words “One –tenth of the total number of seats”, the words “Twenty-seven per cent. of the total number of seats” shall be substituted;</p> <p>(ii) the following provisos shall be added, namely:-</p> <p>“Provided that the reservation available to the persons belonging to the Backward Classes shall be subject to aggregate reservation of fifty per cent. of the total number of seats:</p> <p>Provided however that one-tenth of the total number of seats shall be reserved for the persons belonging to the Backward Classes, where the population of the persons belonging to the Scheduled Castes and Scheduled Tribes categories exceeds forty per cent. of the total population and the seats for such categories shall be required to be reserved in accordance with the provisions of clause (a) above.”.</p> | Guj. 34 of 1964. |
| Amendment of section 9 of Guj. 18 of 1993. | 4. | <p>In the Gujarat Panchayats Act, 1993 (hereinafter referred to as “the Panchayats Act”), in section 9, in sub-section (5), in clause (a), in sub-clause (ii), -</p> <p>(i) for the words “one tenth of the total number of seats”, the words “twenty-seven per cent. of the total number of seats” shall be substituted;</p> <p>(ii) the following provisos shall be added, namely:-</p> <p>“Provided that the reservation available to the persons belonging to the socially and educationally backward classes shall be subject to aggregate reservation of fifty per cent. of the total number of seats:</p> <p>Provided however that one tenth of the total number of seats shall be reserved for the persons belonging to the socially and educationally backward classes, where the population of the persons belonging to the Scheduled Castes and Scheduled Tribes categories exceeds forty per cent. of the total population and the seats for such categories shall be required to be reserved in accordance with the provisions of sub-clause (i) above.”.</p> | Guj. 18 of 1993. |
| Amendment of section 10 of Guj. 18 of 1993. | 5. | <p>In the Panchayats Act, in section 10, in sub-section (5), in clause (a), in sub-clause (ii), -</p> <p>(i) for the words “One tenth of the total number of seats”, the words “Twenty-seven per cent. of the total number of seats” shall be substituted;</p> <p>(ii) the following provisos shall be added, namely:-</p> | |

“Provided that the reservation available to the persons belonging to the socially and educationally backward classes shall be subject to aggregate reservation of fifty per cent. of the total number of seats:

Provided however that one tenth of the total number of seats shall be reserved for the persons belonging to the socially and educationally backward classes, where the population of the persons belonging to the Scheduled Castes and Scheduled Tribes categories exceeds forty per cent. of the total population and the seats for such categories shall be required to be reserved in accordance with the provisions of sub-clause (i) above.”.

6. In the Panchayats Act, in section 11, in sub-section (5), in clause (a), in sub-clause (ii), - **Amendment of section 11 of Guj. 18 of 1993.**
- (i) for the words “One tenth of the total number of seats”, the words “Twenty-seven per cent. of the total number of seats” shall be substituted;
- (ii) the following provisos shall be added, namely:-
- “Provided that the reservation available to the persons belonging to the socially and educationally backward classes shall be subject to aggregate reservation of fifty per cent. of the total number of seats:
- Provided however that one tenth of the total number of seats shall be reserved for the persons belonging to the socially and educationally backward classes, where the population of the persons belonging to the Scheduled Castes and Scheduled Tribes categories exceeds forty per cent. of the total population and the seats for such categories shall be required to be reserved in accordance with the provisions of sub-clause (i) above.”.
7. In the Panchayats Act, in section 51, in sub-section (2), in clause (a), - **Amendment of section 51 of Guj. 18 of 1993.**
- (i) for the words “ten percent of the offices”, the words “twenty-seven per cent. of the offices” shall be substituted;
- (ii) the following provisos shall be added, namely:-
- “Provided that the reservation available to the persons belonging to the socially and educationally backward classes shall be subject to aggregate reservation of fifty per cent. of the total number of seats:
- Provided however that one tenth of the total number of offices shall be reserved for the persons belonging to the socially and educationally backward classes, where the population of the persons belonging to the Scheduled Castes and Scheduled Tribes categories exceeds forty per cent. of the total population and the seats for such categories shall be required to be reserved in accordance with the provisions of this clause.”.
8. In the Panchayats Act, in section 63, in sub-section (2), in clause (a), - **Amendment of section 63 of Guj. 18 of 1993.**
- (i) for the words “ten percent of the offices”, the words “twenty-seven per cent. of the offices” shall be substituted;
- (ii) the following provisos shall be added, namely:-
- “Provided that the reservation available to the persons belonging to the socially and educationally backward classes shall be subject to

aggregate reservation of fifty per cent. of the total number of seats.”.

Provided however that one tenth of the total number of offices shall be reserved for the persons belonging to the socially and educationally backward classes, where the population of the persons belonging to the Scheduled Castes and Scheduled Tribes categories exceeds forty per cent. of the total population and the seats for such categories shall be required to be reserved in accordance with the provisions of this clause.”.

**Amendment of
section 77 of
Guj. 18 of 1993.**

9. In the Panchayats Act, in section 77, in sub-section (2), in clause (a), -

- (i) for the words “ten percent of the offices”, the words “twenty-seven per cent. of the offices” shall be substituted;
- (ii) the following provisos shall be added, namely:-

“Provided that the reservation available to the persons belonging to the socially and educationally backward classes shall be subject to aggregate reservation of fifty per cent. of the total number of seats:

Provided however that one tenth of the total number of offices shall be reserved for the persons belonging to the socially and educationally backward classes, where the population of the persons belonging to the Scheduled Castes and Scheduled Tribes categories exceeds forty per cent. of the total population and the seats for such categories shall be required to be reserved in accordance with the provisions of this clause.”.

