



## The Gujarat Statutory Bodies Laws (Amendment and Validation) Act, 1999

Act 1 of 1999

**Keyword(s):**

**Law Relating to Statutory Bodies, Relevant Provision, Statutory Body**

**DISCLAIMER:** This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.



सममेव जयते

# The Gujarat Government Gazette EXTRAORDINARY

PUBLISHED BY AUTHORITY

VOL. XL ]

TUESDAY, MARCH 9, 1999 / PHALGUNA 18, 1920

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

## 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 8th March, 1999 is hereby published for general information.

KUM. H. K. JHAVERI,  
Secretary to the Government of Gujarat,  
Legislative and Parliamentary Affairs Department.

### GUJARAT ACT NO. 1 OF 1999.

(First published, after having received the assent of the Governor in the  
*Gujarat Government Gazette*, on the 9th March, 1999).

#### AN ACT

further to amend the laws relating to statutory bodies and to validate  
termination of tenure of certain offices of such bodies.

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

1. (1) This Act may be called the Gujarat Statutory Bodies Laws (Amend- Short title.  
ment and Validation) Act, 1999.

2. In this Act, unless the context otherwise requires,—

Definitions.

(i) "laws relating to statutory bodies" means enactments specified in  
column 2 of the Schedule;



(ii) "relevant provision" means the provision relating to tenure of office of a Chairman, Vice-Chairman and directors or, as the case may be, members, of a statutory body, in each of laws relating to statutory bodies, as amended by section 3;

(iii) "statutory body" means the Authority, Board or Corporation constituted under an enactment specified in column 2 of the Schedule.

Amendment of laws relating to statutory bodies.

3. Each of the enactments specified in column 2 of the Schedule shall be amended to the extent and in the manner specified against it in column 3 of the said Schedule.

Validation of termination of tenure of office of Chairman, Vice-Chairman and directors or members of statutory bodies.

4. The tenure of office of a Chairman, Vice-Chairman and directors or, as the case may be, members, of a statutory body, terminated immediately before the commencement of this Act shall be and shall be deemed always to have been validly terminated in accordance with law, as if the relevant provision had been included in and formed part of the laws relating to statutory bodies and had been in force at all material times when the tenure of office of Chairman, Vice-Chairman and directors or, as the case may be, members, of a statutory body was terminated and accordingly no suit or other proceeding questioning the validity of such termination shall be maintained or continued in any court.

Chairman, Vice-Chairman, director and member of statutory bodies to hold office during pleasure of State Government.

5. A Chairman, Vice-Chairman and director or, as the case may be, member, who is appointed or nominated as such by the State Government in a statutory body before the commencement of this Act and who continues to hold such office on such commencement shall be and shall be deemed always to have been appointed or nominated to hold such office during the pleasure of the State Government, notwithstanding anything contrary contained in the law relating to statutory bodies or any rules, regulations or orders made thereunder.



**SCHEDULE**  
(See section 3)

No. 1	Name of enactments. 2	Extent of amendments. 3
1.	The Bombay Labour Welfare Fund Act, 1953 (Bom. XL of 1953).	<p>In section 4, for sub-section (3), the following sub-section shall be substituted, namely :—</p> <p>"(3) The members of the Board shall hold office during the pleasure of the State Government."</p> <p>(2) In section 6, in sub-section (2), the words "and a member so nominated shall hold office for the unexpired portion of the term of the office of his predecessor" shall be deleted.</p>
2.	The Gandhidham (Development and Control on Erection of Buildings) Act, 1958 (Bom. XIX of 1958).	<p>In section 3, for sub-section (4), the following sub-section shall be and shall be deemed always to have been substituted, namely :—</p> <p>"(4) (a) The Chairman, Secretary and the members other than <i>ex-officio</i> members, of the Authority nominated by the State Government shall hold office during the pleasure of the State Government;</p> <p>(b) The members nominated by the Central Government under clause (d) of sub-section (2) shall hold office during the pleasure of the Central Government."</p>
3.	The Bombay Khadi and Village Industries Act, 1960 (Bom. XIX of 1960).	<p>In section 4, in sub-section (1), for the words "hold office for such period as the State Government may, by general or special order, direct", the words "hold office during the pleasure of the State Government" shall be and shall be deemed always to have been substituted.</p>
4.	The Gujarat Housing Board Act, 1961 (Guj. XXVIII of 1961).	<p>In section 8, for sub-section (1), the following sub-section shall be substituted, namely :—</p> <p>"(1) The Chairman and the members shall hold office during the pleasure of the State Government."</p>
5.	The Gujarat Industrial Development Act, 1962 (Guj. XXIII of 1962).	<p>In section 6, for sub-section (1), the following sub-section shall be and shall be deemed always to have been substituted, namely :—</p> <p>"(1) (a) The Chairman, Vice-Chairman and Directors of the Corporation nominated by the State Government shall hold office during the pleasure of the State Government;</p>



No.	Name of enactments.	Extent of amendments.
1	2	3
		(b) The director nominated under clauses (b) and (c) of sub-section (1) of section 4 shall hold office during the pleasure of respective Board."
6.	The Gujarat Medical Practitioners' Act, 1963 (Guj. VI of 1964).	<p>In section 5, in sub-section (3).—</p> <p>(1) in clause (a), for the words "the term of office of a member of the Board, whether elected or nominated," the words "subject to the provision of clause (b), the term of office of a member of the Board" shall be substituted;</p> <p>(2) after clause (a), the following clause shall be inserted, namely :—</p> <p>"(b) the members nominated under clause (a) of sub-section (2) of section 3 shall hold office during the pleasure of the State Government."</p>
7.	The Gujarat Tribal Development Corporation Act, 1972 (Guj. 5 of 1972).	<p>(1) In section 7, in sub-section (3), the words "and a director nominated to fill such vacancy shall hold office for the unexpired portion of the term of his predecessor" shall be deleted.</p> <p>(2) For section 8, the following section shall be substituted, namely :—</p> <p>"8. The directors shall hold office during the pleasure of the State Government."</p> <p>(3) In section 11, in sub-section (1), for the words and figure "Notwithstanding anything contained in section 8, the State Government", the words "The State Government" shall be substituted."</p>
	Term of office.	
8.	The Gujarat Rural Housing Board Act, 1972 (Guj. 22 of 1972).	<p>In section 8, for sub-section (1), the following sub-section shall be substituted, namely:—</p> <p>"(1) The Chairman and the members shall hold office during the pleasure of the State Government."</p>
9.	The Gujarat Slum Areas (Improvement, Clearance and Redevelopment) Act, 1973 (Guj. 11 of 1973).	<p>For section 23, the following section shall be and shall be deemed always to have been substituted, namely:—</p>



No.	Name of enactments.	Extent of amendments.
1	2	3
	Terms of office and conditions of service of Chairman and members.	<p>"23. (1) The Chairman and other members of the Board shall hold office during the pleasure of the State Government.</p> <p>(2) The conditions of the service of the Chairman and the members of the Board shall be such as may be prescribed."</p>
10.	The Gujarat Secondary Education Act, 1972 (Guj. 18 of 1973).	(1) For section 5, the following section shall be substituted, namely:—
	Term of office and conditions of service of Chairman, Deputy Chairman and nominated members.	<p>"5. (1) The Chairman, Deputy Chairman and nominated members shall hold office during the pleasure of the State Government.</p> <p>(2) The salaries or, as the case may be, honorarium, allowances and other conditions of service of the Chairman and the Deputy Chairman shall be such as may be determined by the State Government."</p> <p>(2) In section 6, in sub-section (1), for the words "ex-officio members", the words "ex-officio members and nominated members" shall be substituted.</p>
11.	The Gujarat Town Planning and Urban Development Act, 1976 (President's Act No. 27 of 1976).	<p>In section 5,—</p> <p>(1) in sub-section (5), for the words "The Term of office and conditions of service", the words "The conditions of service" shall be and shall be deemed always to have been substituted;</p> <p>(2) after sub-section (5), the following sub-section shall be and shall be deemed always to have been inserted, namely:—</p> <p>"(5A) The Chairman and the members of an Area Development Authority other than ex-officio members shall hold office during the pleasure of the State Government."</p> <p>(3) in sub-section (7), for the portion beginning with the words "as the case may be," and ending with the words "vacancy had not occurred", the words "as the case may be," shall be and shall be deemed always to have been substituted.</p>



No. 1	Name of enactments. 2	Extent of amendments. 3
12.	The Gujarat Municipal Finance Board Act, 1979 (Guj. 12 of 1979).	<p>(1) In section 6, for sub-section (1), the following sub-section shall be and shall be deemed always to have been substituted, namely:—</p> <p>"(1) The Chairman and the members other than those appointed by virtue of their office shall hold office during the pleasure of the State Government."</p> <p>(2) In section 8, for the portion beginning with the words "as early as practicable" and ending with the words "had not occurred", the words "as early as practicable" shall be and shall be deemed always to have been substituted.</p> <p>(3) In section 28, in sub-section (2), for clause (a), the following clause shall be and shall be deemed always to have been substituted, namely:—</p> <p>"(a) the honorarium, sitting fees and allowances of the Chairman and sitting fees and allowances including compensatory allowance of the members under sub-section (3) of section 6;".</p>
13.	The Gujarat Water Supply and Sewerage Board Act, 1978 (Guj. 18 of 1979).	<p>In section 6, for sub-sections (1) to (4), the following sub-section shall be substituted, namely:—</p> <p>"(1) The Chairman, Member-Secretary and the members other than <i>ex-officio</i> members shall hold office during the pleasure of the State Government : Provided that a person appointed as member under clause (f) of sub-section (1) of section 4 shall cease to be a member, if he ceases to be the elected head of the local body concerned."</p>
14.	The Gujarat Unprotected Manual Workers (Regulation of Employment and Welfare) Act, 1979 (Guj. 25 of 1979).	<p>(1) In section 6, for sub-section (7), the following sub-section shall be substituted, namely:—</p> <p>"(7) The Chairman and the members shall hold office during the pleasure of the State Government."</p> <p>(2) In section 12, for the portion beginning with the words "the vacancy shall be filled" and ending with the words "vacancy had not occurred :", the words "the vacancy shall be filled not later than ninety days from the date of receipt of such communication:" shall be substituted.</p>



No.	Name of enactments.	Extent of amendments.
1	2	3
15.	The Gujarat Maritime Board Act, 1981 (Guj. 30 of 1981).	<p>(1) In section 5, in sub-section (2), the portion beginning with the words "and in any case" and ending with the words "State Government" shall be deleted.</p> <p>(2) In section 8,—</p> <p>(a) to sub-section (2), the proviso shall be deleted.</p> <p>(b) sub-section (4) shall be deleted.</p>
16.	The Gujarat Scheduled Castes Development Corporation Act, 1985 (Guj. 10 of 1985).	<p>(1) In section 6, for sub-sections (1) and (2), the following sub-section shall be and shall be deemed always to have been substituted, namely:—</p> <p>"(1) The director shall hold office during the pleasure of the State Government :".</p> <p>(2) In section 7, the words "and a person nominated as director to fill up such vacancy shall hold office for the unexpired portion of the term of his predecessor" shall be and shall be deemed always to have been deleted.</p> <p>(3) In section 10, in sub-section (1), for the words and figure "Notwithstanding anything contained in section 6, the State Government", the words "The State Government" shall be and shall be deemed always to have been substituted.</p>
17.	The Gujarat Backward Classes Development Corporation Act, 1985 (Guj. 11 of 1985).	<p>(1) In section 7, for sub-sections (1) and (2), the following sub-section shall be and shall be deemed always to have been substituted, namely:—</p> <p>"(1) The director shall hold office during the pleasure of the State Government."</p> <p>(2) In section 8, the words "and a person nominated as director to fill up such vacancy shall hold office for the unexpired portion of the term of his predecessor" shall be and shall be deemed always to have been deleted.</p> <p>(3) In section 11, in sub-section (1), for the words and figure "Notwithstanding anything contained in section 7, the State Government", the words "The State Government" shall be and shall be deemed always to have been substituted.</p>