



## The Gujarat District Planning Committees Act, 2008

Act 11 of 2008

**Keyword(s):**

District Planning, Planning Committees, District Collector, District Panchayat, Rural Area, Urban Area

Amendment appended: 17 of 2015, 14 of 2019

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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 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 29<sup>th</sup> March, 2008 is hereby published for general information.

**H. D. VYAS,**

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

### GUJARAT ACT NO. 11 OF 2008.

(First published, after having received the assent of the Governor in the "Gujarat Government Gazette", on the 29<sup>th</sup> March, 2008).

### AN ACT

to provide for the constitution of the District Planning Committees at the district level for consolidation of the plans prepared by the Panchayats and the Municipalities in the district and preparation of draft development plan for the district as a whole.

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

1. (1) This Act may be called the Gujarat District Planning Committees Act, 2008.

Short title, extent  
and  
commencement.

(2) It extends to the whole of the State of Gujarat except the areas to which the provisions of the Bombay Provincial Municipal Corporations Act, 1949 apply.

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

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

(a) "Committee" means a District Planning Committee constituted under sub-section (1) of section 3;

(b) "District Collector" includes an Additional District Collector, or any other officer appointed by the State Government to discharge all or any of the functions of the District Collector under this Act;

(c) "District Panchayat" means a District Panchayat as defined in clause (7) of section 2 of the Gujarat Panchayats Act, 1993.

Guj. 18 of 1993.

(d) "Municipality" means a municipality as defined in clause (14) of section 2 of the Gujarat Municipalities Act, 1963;

Guj. 34 of 1964.

(e) "population" means the population as ascertained at the last preceding census of which the relevant figures have been published;

(f) "prescribed" means prescribed by rules;

(g) "rural area" means an area within a Taluka.

*Explanation.* — "Taluka" means a taluka as defined in clause (25) of section 2 of the Gujarat Panchayats Act, 1993;

Guj. 18 of 1993.

(h) "urban area" means an area within a Municipality;

Constitution of  
District Planning  
Committee.

3. (1) The State Government shall, by notification in the *Official Gazette*, constitute a District Planning Committee in each district consisting of such number of persons not less than thirty and not more than forty as it may determine.

(2) The District Planning Committee shall consist of following members, namely :-

(i) the Chairperson of the committee to be nominated by the State Government;

Bom. LIX of  
1949.

- (ii) the President of the District Panchayat, who shall be the Vice-Chairperson;
- (iii) the District Collector, who shall be the Co-Vice-Chairperson;
- (iv) the District Development Officer;
- (v) the District Planning Officer, who shall be the Member-Secretary of the Committee;
- (vi) a person or persons, as determined by the State Government, having special knowledge in the fields of economics, planning, finance, engineering or administration;
- (vii) (a) such number of members as determined by the State Government, to be elected by and from amongst the elected members of the District Panchayat; and  
(b) such number of members as determined by the State Government, to be elected by and from amongst the elected members of the Municipalities within the District:

Provided that not less than four-fifths of the total number of the members of the Committee shall be elected by and from amongst the elected members of the District Panchayat and of the Municipalities in the District in proportion to the ratio between the population of the rural areas and of the urban areas in the District.

- (3) (i) The members of the House of the People and the members of the Gujarat Legislative Assembly elected from any constituency in the District or a part thereof shall be permanent invitees to the District Planning Committee;
- (ii) such officer or officers of the State Government or of any statutory Board, Corporation or Authority having knowledge in the field of economics, planning, engineering, finance or administration, as decided by the State Government, shall be the permanent invitees to the District Planning Committee.

**Election.**

4. (1) The District Collector shall co-ordinate and supervise all works in connection with the election of members to the Committee in the manner as may be prescribed.
- (2) The District Collector shall appoint a Returning Officer and as many Assistant Returning Officers as may be necessary for conducting the election of members to the Committee.
- (3) The powers and functions of the Returning Officer and the Assistant Returning Officers shall be such as may be prescribed.
- (4) Where any dispute arises regarding any election held under this Act, any person entitled to vote at such election may, within thirty days after the date of the declaration of the results of such election, file a petition, calling in question such election, before the Election Commissioner of the State having jurisdiction, and the decision of the Election Commissioner shall be final and shall not be called in question in any court..
- (5) Notwithstanding anything to the contrary contained in this Act or in any other law for the time being in force, no civil court of law shall have jurisdiction to entertain any petition calling in question the validity of any election held under this Act.

**Term of office and other conditions of members of Committee.**

5. (1) The term of office of the members of the Committee other than *ex-officio*, shall be five years.
- (2) A member of a Committee, who is a member of a District Panchayat, a Municipality, the House of the People, the Legislative Assembly of the State shall cease to be a member of the Committee if he ceases to be a member of the respective District Panchayat, Municipality, the House of the People or the Legislative Assembly of the State.
- (3) The other terms and conditions of the members of the Committee shall be such as may be prescribed.

6. (i) The Chairperson may at any time, resign his office by writing to the State Government and on such resignation being accepted the Chairperson shall be deemed to have vacated his office;

(ii) The Vice-Chairperson or a member of the Committee may, at any time, resign his office by writing to the Chairperson and, on such resignation being accepted, the Vice-Chairperson or, as the case may be, the member shall be deemed to have vacated his office.

7. Any vacancy occurring by reason of death, resignation or otherwise of an elected member of a Committee shall be filled by election of another member in the manner as may be prescribed.

8. The State Government shall provide to the Committee such sum as it may think fit for the purpose of carrying out the functions by the Committee under this Act.

9. (1) The Committee shall meet on such date, at such time and place as the Chairperson may think fit and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed by rules:

Provided that the Chairperson, when required by a notice in writing by at least one-third of the members of the Committee shall call a meeting within one month from the date of receipt of the notice.

(2) Minimum of ten members, shall form a quorum for a meeting of the Committee:

Provided that no quorum shall be necessary for an adjourned meeting.

(3) The Secretary of the Committee shall maintain records and the proceedings of the meetings of the Committee and shall take such actions as the Committee may decide.

**Resignation.**

**Filling of casual vacancy in place of an elected member of Committee.**

**Grant to Committee.**

**Procedure, records to be regulated by Committee.**

**Powers and  
functions of  
Committee.**

10. (1) The Committee shall—
- (a) consolidate the plans prepared by the Panchayats and the Municipalities in the district, and
  - (b) prepare a draft development plan for the district as a whole.
- (2) The Committee shall, in preparing the draft development plan under clause (b) of sub-section (1), —
- (a) have regard to —
    - (i) matters of common interest between the Panchayats and the Municipalities including spatial planning, sharing of water and other physical and natural resources, the integrated development of infrastructure and environmental conservation;
    - (ii) the extent and type of available resources, whether financial or otherwise;
  - (b) consult such institutions and organisations as the State Government may, by order, specify.
- (3) The State Government may, by order, assign to the Committee such other functions relating to district planning.
- (4) The State Government may constitute Sub-Committees as may be deemed necessary for carrying out the purposes of this Act in the manner as may be prescribed.
- (5) The Chairperson of a Committee shall forward the draft development plan, as recommended by such Committee, to the State Government in the manner as may be prescribed.

11. (1) The State Government may, by notification in the *Official Gazette*, make rules for carrying out the purposes of this Act.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters, which under any provision of this Act, are required to be prescribed or to be provided for by rules.
- (3) All rules made under this section shall be laid for not less than thirty days before the State Legislature as soon as possible after they are made and shall be subject to rescission by the State Legislature or to such modification as the State Legislature may make during the session in which they are so laid or the session immediately following.
- (4) Any rescission or modification so made by the State Legislature shall be published in the *Official Gazette*, and shall thereupon take effect.

Power of State Government to make rules.

12. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the *Official Gazette*, make such provisions not inconsistent with the provisions of this Act, as appears it to be necessary or expedient for removing the difficulty :

Power to remove difficulties.

Provided that no order under sub-section (1) shall be made after the expiry of two years from the date of commencement of this Act.

- (2) Every order made under this section shall be laid, as soon as may be after it is made, before the State Legislature.







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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 15<sup>th</sup> April, 2015 is hereby published for general information.

**ARVIND AGARWAL,**  
Additional Chief Secretary to the Government of Gujarat,  
Legislative and Parliamentary Affairs Department.

### GUJARAT ACT NO. 17 OF 2015.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 15<sup>th</sup> April, 2015).

#### AN ACT

further to amend the Gujarat District Planning Committees Act, 2008.

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 District Planning Committees (Amendment) Act, 2015.

Short title

Guj. 11 of  
2008.

2. In Gujarat District Planning Committees Act-2008 (hereinafter referred to as "the principal Act", in section 3,-

(1) in sub-section (1), for the words "not less than thirty and not more than forty as it may determine", the words "as may be determined by the State Government for each of such districts" shall be substituted;

Amendment of  
section 3 of  
Guj. 11 of  
2008.

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

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17-1

- (a) clause (v) shall be deleted;
- (b) in clause (vi), for the words "as determined", the words "as may be determined" shall be substituted .

**Amendment of  
section 9 of  
Guj. 11 of  
2008.**

- 3. In the principal Act, in section 9, -
  - (1) in sub-section (2), for the words " Minimum of ten members", the words "One-third of the total members" shall be substituted;
  - (2) for sub-section (3), the following sub-section shall be substituted, namely:-
    - "(3) The District Planning Officer shall be the ex-officio Secretary of the Committee who shall maintain records and the proceedings of the meeting of the Committee and shall take such action as the Committee may decide".

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# The Gujarat Government Gazette

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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 13<sup>th</sup> August, 2019 is hereby published for general information.

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

### GUJARAT ACT NO. 14 OF 2019.

(First published, after having received the assent of the Governor, in the "*Gujarat Government Gazette*", on the 19<sup>th</sup> August, 2019).

### AN ACT

further to amend the Gujarat Metropolitan Planning Committees Act, 2008, the Gujarat District Planning Committees Act, 2008 and the Gujarat Town Planning and Urban Development Act, 1976 to make effective provisions for the planning in the areas under the jurisdiction of Metropolitan Planning Committee and the District Planning Committee in different areas in the State of Gujarat and for matters connected therewith or incidental thereto.

**WHEREAS** it is expedient to make effective provisions to achieve planned development with respect to economic development and social justice, and for the implementation of development schemes in different areas in the State of Gujarat;

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

**Short title and commencement.**

1. (1) This Act may be called the Gujarat Local Authorities and Town Planning Laws (Amendment) Act, 2019.

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

**Amendment of section 9 of President's Act, No. 27 of 1976.**

2. In the Gujarat Town Planning and Urban Development Act 1976, (hereinafter referred to as "the President's Act"), in section 9, to sub-section (1), the following proviso shall be inserted, namely: -

President's Act  
No. 27 of 1976.

"Provided that, the development plan shall include the proposals, with regard to spatial planning, of the development plan sanctioned under the Gujarat Metropolitan Planning Committees Act, 2008 or the Gujarat District Planning Committees Act, 2008, as the case may be."

Guj. 18 of 2008.

Guj. 11 of 2008.

**Amendment of section 12 of President's Act, No. 27 of 1976.**

3. In the President's Act, in section 12, in sub-section (1), the words and figures "which would be in conformity with the development plan under the provisions of the Gujarat Metropolitan Planning Committees Act, 2008" shall be deleted.

Guj. 18 of 2008.

**Insertion of new section 19A in President's Act, No.27 of 1976.**

4. In the President's Act, after section 19, the following section shall be inserted, namely: -

**Inclusion of proposal regarding spatial planning in the development plan.**

"19A. After the date specified in sub-section (2) of section 10A of the Gujarat District Planning Committees Act, 2008 or sub-section (2) of section 10A of the Gujarat Metropolitan Planning Committees Act, 2008, as the case may be, the appropriate authority shall include in the development plan to be under this Act, the proposals with regard to spatial planning, of the development plan to which sanction is accorded under clause (a) of sub-section (1) of section 10A of the Gujarat District Planning Committees Act, 2008 or clause (a) of sub-section (1) of section 10A of the Gujarat Metropolitan Planning Committees Act, 2008, as the case may be, by varying the development plan under section 19, as the appropriate authority may consider proper."

Guj. 11 of 2008.

Guj. 18 of 2008.

Guj. 11 of 2008.

Guj. 18 of 2008.

- Guj. 11 of 2008.** 5. In the Gujarat District Planning Committees Act, 2008 (hereinafter referred to as “the DPC Act”), in section 1, in sub-section (2), for the words and figures “the Bombay Provincial Municipal Corporations Act, 1949”, the words and figures “the Gujarat Metropolitan Planning Committees Act, 2008” shall be substituted.
- Bom. LIX of 1949.**  
**Guj. 18 of 2008.**
6. In the DPC Act, in section 2, before clause (a), the following clause shall be inserted, namely: -
- “(a-1) “appropriate authority” means an authority as defined under clause (iii) of section 2 of the Gujarat Town Planning and Urban Development Act 1976;”.
- President’s Act No. 27 of 1976.**
7. In the DPC Act, after section 10, the following sections shall be inserted, namely, -
- Inclusion of proposals in development plan.** “10A. (1) The State Government may, on receipt of the draft development plan submitted by the District Planning Committee or the authorized officer, as the case may be, by notification in the *Official Gazette*, either -
- (a) sanction or refuse to sanction the draft development plan so received for the whole of the area covered by the plan or separately for any part thereof, either without modification, or subject to such modification, as it may consider proper; or
- (b) return the draft development plan to the district planning committee or the authorized officer, as the case may be, for modifying the plan as it may direct.
- (2) The sanction accorded under clause (a), shall be called the final development plan which shall come into force on such date as the State Government may, by notification in the *Official Gazette*, specify.
- (3) A final development plan which has come into force shall be binding on the concerned all authorities functioning in the district.
- Variation of final development plan.** 10B. (1) If on a proposal received from a District Planning Committee in that behalf or otherwise, the State Government is of opinion that it is necessary in the public interest to make any variation in the final development plan (hereinafter referred to as “the variation”), it shall publish in the *Official Gazette*, the variation proposed in the final development plan,
- Amendment of section 1 of Guj. 11 of 2008.**
- Amendment of section 2 of Guj. 11 of 2008.**
- Insertion of new sections 10A to 10C in Guj. 11 of 2008.**

alongwith a notice, inviting objections or suggestions from any person with respect to the variation within a period of two months from the date of publication of the variation.

- (2) After considering the objections or suggestions, if any, received under sub-section (1) within the period specified therein and after consulting the district planning committee in a case where the variation is not proposed by that district planning committee, the State Government may, by notification in the *Official Gazette*, sanction the variation with or without modifications, as it may consider fit to do and such variation shall come into force on such date as may be specified in the notification.
- (3) From the date of coming into force of the variation, the provisions of this Act shall apply to such variation, as they apply to a final development plan.

**Directions by State Government.**

**10C.** (1) Every District Planning Committee shall carry out such directions or control by instructions as may be issued from time to time by the State Government for the efficient administration of this Act.

(2) If in, or in connection with, the exercise of its powers and discharge of its functions by any District Planning Committee under this Act any dispute arises between the District Planning Committee and the State Government or any other authority, the decision of the State Government on such disputes shall be final.

(3) Notwithstanding anything contained in this Act or any other law for the time being in force, the State Government may appoint any officer, who shall, -

(a) assist the District Planning Committee in the preparation of the development plan under the Act;

(b) maintain the records of the committee, prepare the records of the discussions and communication of decisions and all other incidental, ancillary matters.”.

**Amendment of section 2 of Guj. 18 of 2008.**

**8.** In the Gujarat Metropolitan Planning Committees Act, 2008 (hereinafter referred to as “the MPC Act”), in section 2, before clause (a), the following clause shall be inserted, namely:-

**Guj. 18 of 2008.**

**President's Act No. 27 of 1976.**

“(a-1) “appropriate authority” means an authority defined under clause (iii) of section 2 of the Gujarat Town Planning and Urban Development Act 1976;”.

9. In the MPC Act, after section 10, the following sections shall be inserted, namely, -

Insertion of new sections 10A to 10C in Guj. 18 of 2008.

Inclusion of proposals in development plan.

“10A. (1) The State Government may, on receipt of the draft development plan submitted by the Metropolitan Planning Committee, by notification in the *Official Gazette*, either -

(a) sanction or refuse to sanction the draft development plan so received for the whole of the area covered by the plan or separately for any part thereof, either without modification, or subject to such modification, as it may consider proper; or

(b) return the draft development plan to the metropolitan planning committee or the authorized officer, as the case may be, for modifying the plan as it may direct.

(2) The sanction accorded under clause (a) of sub section (1), shall be called the final development plan which shall come into force on such date as the State Government may, by notification in the *Official Gazette*, specify.

(3) A final development plan which has come into force shall be binding on the concerned all authorities functioning in the metropolitan area.

Variation of final development plan.

10B. (1). If on a proposal received from a Metropolitan Planning Committee in that behalf or otherwise, the State Government is of opinion that, it is necessary in the public interest to make any variation in the final development plan (hereinafter referred to as “the variation”), it shall publish in the *Official Gazette*, the variation proposed in the final development plan, along with a notice, inviting objections or suggestions from any person with respect to the variation within a period of two months from the date of publication of the variation.

(2) After considering the objections or suggestions, if any, received under sub-section (1) within the period specified therein and after consulting the metropolitan planning committee in a case where the variation is not proposed by that district planning committee, the State Government may, by notification in the *Official Gazette*, sanction the variation with or without modifications, as it may consider fit to do and such variation shall come into force on such date as may be specified in the notification.

(3) From the date of coming into force of the variation, the



provisions of this Act shall apply to such variation, as they apply to a final development plan.

**Direction by State Government.**

**10C:** (1) Every Metropolitan Planning Committee shall carry out such directions or control by instructions as may be issued from time to time by the State Government for the efficient administration of this Act.

(2) If in, or in connection with, the exercise of its powers and discharge of its functions by any Metropolitan Planning Committee under this Act any dispute arises between the Metropolitan Planning Committee and the State Government or any other authority, the decision of the State Government on such disputes shall be final.

(3) Notwithstanding anything contained in this Act or any other law for the time being in force, the state government may appoint any officer, who shall, -

- (a) assist the metropolitan planning committee in the preparation of the development plan under the Act;
- (b) maintain the records of the committee, prepare the records, of the discussions and communication of decisions and all other incidental, ancillary matters.