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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules :-

THE BOMBAY PROVINCIAL MUNICIPAL CORPORATIONS (GUJARAT AMENDMENT) BILL, 2010.

GUJARAT BILL NO. 14 OF 2010.

A BILL

*further to amend the Bombay Provincial Municipal Corporations Act,
1949.*

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

1. (1) This Act may be called the Bombay Provincial Municipal Corporations (Gujarat Amendment) Act, 2010.

Short title and
commencement.

(2) It shall be deemed to have come into force from the 1st January, 2009.

Bom. LIX of 1949.

2. In the Bombay Provincial Municipal Corporations Act, 1949, in section 458, in clause (36), after the words "proper behaviour of persons in them", the words "and the levy of fees therein" shall be added at the end.

Amendment of
section 458 of Bom.
LIX of 1949.

STATEMENT OF OBJECTS AND REASONS

The Ahmedabad Municipal Corporation has developed Kankaria Lake under the Kankaria Lake Front Development Project. The Kankaria Lake Front which is developed by the Ahmedabad Municipal Corporation is one of the best of its kind in the whole country. The Ahmedabad Municipal Corporation has incurred huge expense towards the development of this project from its fund. This apart, in order to regulate, preserve, maintain and more particularly from the view point of the security, the Ahmedabad Municipal Corporation has been incurring huge recurring expense. To meet with the said expense, the Ahmedabad Municipal Corporation has prescribed fees for the entry into the Kankaria Lake Front. And for this purpose, bye-laws of the said Corporation were amended with effect from 1st January, 2009. A doubt has been raised as to whether bye-laws framed under the Act enable the Corporations to levy fee while prescribing manner in which such a place can be used by the public. For the removal of doubts and any misunderstanding and for leaving no room for stretched interpretation and argument in this regard, it is considered necessary, and to enable the Ahmedabad Municipal Corporation to charge fees from the visiting public to such a well developed and well maintained place, to amend the Bombay Provincial Municipal Corporations Act, 1949 with retrospective effect by making very explicit provision for removal of any doubt.

This Bill proposes to amend clause (36) of section 458 of the said Act to achieve the aforesaid object.

Gandhinagar,
Dated the 23rd March, 2010.

NITIN PATEL.

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

Gandhinagar,
Dated the 23rd March, 2010.

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