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

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 GUJARAT TOWN PLANNING AND URBAN DEVELOPMENT (AMENDMENT) BILL, 2017.

GUJARAT BILL NO. 5 OF 2017.

A BILL

further to amend the Gujarat Town Planning and Urban Development Act, 1976.

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

1. (1) This Act may be called the Gujarat Town Planning and Urban Development (Amendment) Act, 2017.

Short title and commencement.

(2) It shall be deemed to have come into force on the 4th October, 2016.

Amendment of
section 51 of
President's Act
No. 27 of 1976.

2. In the Gujarat Town Planning and Urban Development Act, 1976, President's Act No. 27 of 1976.
(hereinafter referred to as "the principal Act), in section 51,-

- (1) in the first proviso, the words "but not exceeding six months" shall be deleted;
- (2) the second proviso shall be deleted.

Repeal and
savings.

3. (1) The Gujarat Town Planning and Urban Development (Amendment) Ordinance, 2016 is hereby repealed. Guj. Ord. 3 of 2016.

- (2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

Section 51 of the Gujarat Town Planning and Urban Development Act, 1976 *inter alia* provides that the Town Planning Officer within a period of twelve months of his appointment shall, after following the prescribed procedure, sub-divide the Town Planning scheme into a preliminary and final scheme. The State Government is empowered to extend the said time limit for the period not exceeding by six months. However, it is experienced that the Town Planning Officer, due to various reasons is not able to sub-divide the town planning scheme into a preliminary and final scheme within a period of maximum eighteen months, the period which is available under the provisions of the said section 51 of the said Act and therefore, it is difficult to adhere to the prescribed time limit for the purpose, which sometimes may result into the breach of the statutory provisions in this regard. It is, therefore, considered necessary to do away with the provisions which empower the State Government to extend the period of twelve months by a period not exceeding six months and therefore, it is considered necessary to amend the said section 51 of the said Act to achieve the aforesaid object.

As the Gujarat Legislative Assembly was not in session at that time, the Gujarat Town Planning and Urban Development (Amendment) Ordinance, 2016 was promulgated on the 4th October, 2016 to amend the said Act to achieve the aforesaid object.

This Bill seeks to replace the said Ordinance by an Act of the State Legislature.

Dated the 13th February, 2017.

SHANKAR CHAUDHARY.

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

K. M. LALA,

Gandhinagar,

Secretary to the Government of Gujarat,

Dated the 13th February, 2017. Legislative and Parliamentary Affairs Department.
