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PART IV

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

URBAN DEVELOPMENT AND URBAN HOUSING DEPARTMENT

Sachiyalaya, Gandhinagar, Dated the 4th October, 2016.

GUJARAT ORDINANCE NO. 3 OF 2016.

AN ORDINANCE

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

WHEREAS the Legislative Assembly of the State of Gujarat is not in session;

President's
Act No.27 of
1976.

AND WHEREAS the Governor of Gujarat is satisfied that circumstances exist which render it necessary for him to take immediate action to amend the Gujarat Town Planning and Urban Development Act, 1976;

NOW, THEREFORE, in exercise of the powers conferred on him by clause (1) of article 213 of the Constitution of India, the Governor of Gujarat is hereby pleased to make and promulgate the following Ordinance, namely :-

1. **Short title and commencement.**- (1) This Ordinance may be called the Gujarat Town Planning and Urban Development (Amendment) Ordinance, 2016.

(2) It shall come into force at once.

President's Act
No.27 of 1976.

2. **President's Act No. 27 of 1976 to be temporarily amended.**-

During the period of operation of this Ordinance, the Gujarat Town Planning and Urban Development Act, 1976 shall have effect subject to the amendment specified in section 3.

President's
Act No. 27
of 1976.

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

In the Gujarat Town Planning and Urban Development Act, 1976, 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.

STATEMENT

Existing provisions of section 51 of the Gujarat Town Planning and Urban Development Act, 1976 *inter alia* provide 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 has been 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 section 51 of the said Act and therefore, it becomes 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. Therefore, to achieve the purpose, necessary amendments are suitably carried out in the said section 51 of the said Act.

As the Gujarat Legislative Assembly is not in session, this Ordinance is promulgated to amend the said Act to achieve the aforesaid object.

O. P. Kohli,

Dated the 3rd October, 2016.

Governor of Gujarat.

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

Punamchand Parmar,

Additional Chief Secretary to Government.