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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

Sachivalaya, Gandhinagar, dated the 3rd December, 2016.

GUJARAT ORDINANCE NO. 5 OF 2016.

AN ORDINANCE

further to amend the Gujarat Provincial Municipal Corporations Act, 1949.

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

AND WHEREAS the Governor of Gujarat is satisfied that
Bom. LIX circumstances exist which render it necessary for him to take immediate action
of 1949. to amend the Gujarat Provincial Municipal Corporations Act, 1949;

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 Provincial Municipal Corporations (Amendment) Ordinance, 2016.

(2) It shall come into force at once.

Bom. LIX
of 1949.

2. **Bom. LIX of 1949, to be temporarily amended.**-During the period of operation of this Ordinance, the Gujarat Provincial Municipal Corporations Act, 1949 shall have effect subject to the amendment specified in section 3.

Bom. LIX
of 1949.

3. **Amendment of section 19 of Bom. LIX of 1949.**-In the Gujarat Provincial Municipal Corporations Act, 1949, in section 19,-

(1) for sub-section (1AA), the following sub-section shall be substituted, namely:-

“(1AA) The Corporation shall at its first meeting after general elections and at its first meeting on expiry of succeeding two and half years elect from amongst the councillors one of its members to be the Deputy Mayor:

Guj. Ord. 5 of
2016.

Provided that the term of the existing Deputy Mayor who is holding the post as such on the date of commencement of the Gujarat Provincial Municipal Corporations (Amendment) Ordinance, 2016 shall be two and half years or till the remainder period of duration of the Corporation, whichever is earlier:

Provided further that the term of the Deputy Mayor, if any, who may be elected after the expiry of the term of the existing Deputy Mayor, shall be till the remainder period of duration of the Corporation.”;

(2) in sub-section (2), after the words, brackets and figure “sub-section (1)”, the words, brackets, figures and letters “or sub-section (1AA), as the case may be,” shall be inserted.

STATEMENT

The existing provisions of sub-section (1AA) of section 19 of the Gujarat Provincial Municipal Corporations Act, 1949 provides for the term of the Deputy Mayor of the Corporation of one year. The term of the Mayor, the Chairman and the members of the Standing Committee, the Chairman and the members of the Transport Committee and the members of every Special Committee of the Corporation is two and half years.

It is, therefore, considered necessary to fix the term of the Deputy Mayor for a period of two and half years so as to bring parity, in so far as the term of the Deputy Mayor is concerned, with other office-bearers. Accordingly sub-section (1AA) of section 19 of the said Act is amended suitably. Provision is also made for enabling the existing Deputy Mayors to have the term of two and half years. Certain consequential amendments have also been carried out.

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

Gandhinagar,
Dated the 3rd December, 2016

O.P.KOHLI,
Governor of Gujarat.

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

Punamchand Parmar,
Additional Chief Secretary to Government.