



सत्यमेव जयते

# The Gujarat Government Gazette

## EXTRAORDINARY

### PUBLISHED BY AUTHORITY

Vol. LVIII] MONDAY, FEBRUARY 13, 2017/MAGHA 24, 1938

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 PROVINCIAL MUNICIPAL CORPORATIONS (AMENDMENT) BILL, 2017.

#### GUJARAT BILL NO. 4 OF 2017.

#### A BILL

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

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 Provincial Municipal Corporations (Amendment) Act, 2017. Short title and commencement.
- (2) It shall be deemed to have come into force on the 3<sup>rd</sup> December, 2016.

**Amendment of section 19 of Bom. LIX of 1949.**

**2.** In the Gujarat Provincial Municipal Corporations Act, 1949 (hereinafter referred to as "the principal Act"), in section 19,-

**Bom. LIX of 1949.**

(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:

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) Act, 2017 shall be two and half years or till the remainder period of duration of the Corporation, whichever is earlier:

**Guj. of 2017.**

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, figure and letters “or sub-section (1AA), as the case may be,” shall be inserted.

**Repeal and savings.**

**3.** (1) The Gujarat Provincial Municipal Corporations (Amendment) Ordinance, 2016 is hereby repealed.

**Guj. Ord. 5 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**

The 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 proposed to be amended suitably. Provision is also proposed to be 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 was not in session, at that time, the Gujarat Provincial Municipal Corporations (Amendment) Ordinance, 2016 was promulgated on the 3<sup>rd</sup> December, 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 13<sup>th</sup> 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 13<sup>th</sup> February, 2017. Legislative and Parliamentary Affairs Department.