

**Bombay Town Planning (Gujarat Amendment) Act, 1965****6 of 1966****[13 April 1966]**

## CONTENTS

1. Short Title
2. Substitution Of Section 10 Of Bom. Xxvii Of 1955 And Insertion Of Section 10A Therein

**Bombay Town Planning (Gujarat Amendment) Act, 1965****6 of 1966****[13 April 1966]**

An Act further to amend the Bombay Town Planning Act, 1954. It is hereby enacted in the Sixteenth year of the Republic of India as follows:-

**1. Short Title :-**

This Act may be called the Bombay Town Planning (Gujarat Amendment) Act, 1965.

**2. Substitution Of Section 10 Of Bom. Xxvii Of 1955 And Insertion Of Section 10A Therein :-**

In the Bombay Town Planning Act, 1954(Bom. XXVII of 1955), for section 10 the following sections shall be substituted, namely:-

"10. Power of Government to sanction development plan and consequences thereof.--

(1) (a) On receipt of the development plan under section 8, the State Government may, after consulting the Consulting Surveyor and within the prescribed period sanction the development plan and the regulations as so received unless any modifications therein are considered to be necessary by the State Government.

(b) If any modifications in the development plan or the regulations are considered to be necessary by the State Government, the State Government shall before the expiry of the period prescribed under

clause (a) publish the modifications in the Official Gazette along with a notice calling upon the persons affected thereby to submit to the State Government their suggestions, if any, in writing within a period of sixty days from the date of the publication of the modifications.

(c) After considering the suggestions, if any, received under clause (b), the State Government shall within the prescribed period finalise the modifications and sanction the development plan and the regulations with modifications so finalised.

(d) The sanction accorded under clause (a) or clause (c) shall be notified in the Official Gazette and the development plan together with the regulations so sanctioned shall be called "the final development plan".

(e) The final development plan shall come into force on such date as the State Government may specify in the notification issued under clause (d):

Provided that the date so specified shall not be earlier than one month from the date of the publication of the notification.

(2) Where the development plan submitted by the local authority contains any proposals for the reservation of any land for a purpose specified in clause (b) of (e) of section 7 and such land does not vest in the local authority, the State Government shall not include the said purpose in the development plan unless it is satisfied that the local authority would acquire the land whether by agreement or compulsory purchase within ten years from the date on which the development plan comes into force.

(3) After the final development plan comes into force, the local authority may execute any work for developing, redeveloping or improving any area within its jurisdiction in accordance with the proposals contained in the development plan.

10A Variation of development plan.--

(1) If on a proposal from the local authority in that behalf or otherwise the State Government is of opinion that it is necessary in the public interest to make any variation in the final development plan (hereinafter referred to as "variation") whether sanctioned before or after the commencement of the Bombay Town Planning (Gujarat Amendment) Act, 1965(Guj. 6 of 1966) it shall publish in the Official Gazette-

(a) the variations proposed in the development plan,

(b) the amendments, if any, in the regulations, and

(c) the approximate cost, if any, involved in the acquisition of land, which by virtue of the variation would be reserved for public

purpose,-

along with a notice, calling upon the persons affected thereby to submit to the State Government, their suggestions and objections if any, in writing within a period of sixty days from the date of the publication of the variation.

(2) After considering the suggestions and objections, if any, received under sub-section (1) and consulting the Consulting Surveyor and the local authority, the State Government may by notification in the Official Gazette sanction the variation with or without modifications and such variation shall come into force from such date as may be specified in the notification.

(3) From the date of the publication of the notification under sub-section (2), the provisions of this Act as they apply to a final development plan shall apply to such variation.

(4) If any person, who is affected by such variation, has incurred any expenditure in compliance with the final development plan as existed before such variation, such person shall be entitled to receive compensation, where the variation is made on the proposal of the local authority from the local authority, and in any other case from the State Government, in so far as such expenditure is rendered abortive by reason of the variation of the plan."