

Gujarat Municipalities (Amendment) Act, 1969

11 of 1969

[06 September 1969]

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Gujarat Municipalities (Amendment) Act, 1969

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An Act further to amend the Gujarat Municipalities Act, 1963. It is hereby enacted in the Twentieth Year of the Republic of India as follows:-

1. Short Title :-

This Act may be called the Gujarat Municipalities (Amendment) Act, 1969.

2. Amendment Of Section 8 Of Guj. 34 Of 1964 :-

In section 8 of the Gujarat Municipalities Act, 1963(Guj. 34 of 1964) (hereinafter referred to as "the principal Act"),-

(1) in sub-section (1),-

(a) for the words "four years" the words "five years" shall be substituted;

(b) in the first proviso, for the words "five years" the words "six years" shall be substituted;

(2) after sub-section (2), the following sub-section shall be inserted, namely:-

"(3) Where in view of the term of office of councillors of any municipality expiring on any day within a period of one month after the commencement of the Gujarat Municipalities (Amendment) Ordinance, 1969(Guj. Ord. I of 1968), a general election had been held and the names of councillors elected to such municipality at such general election had been notified under sub-section (6) of section 6 at any time before such commencement, the councillors of such municipality holding office on the date of such commencement, shall, notwithstanding anything contained in sub-section (1), be deemed to have held office for a term of four years."

3. Amendment Of Section 8 Of Guj. 31 Of 1984 :-

In section 9 of the principal Act,-

(1) in sub-section (1),-

(a) the words "on such date as the State Government may by general or special order notify in this behalf" shall be deleted;

(b) for the words "for the purposes of this Act be deemed to be the list of voters for such ward" the words, brackets and figures "subject to any amendment, deletion or addition made under sub-section (3) or any inclusion of any name under sub-section (5), be deemed to be the list of voters for such ward for the purposes of this Act" shall be substituted;

(2) after sub-section (3), the following sub-sections and Explanation shall be added, namely:-

"(4) Any person who has become entitled to be registered in the relevant part of the electoral roll of the Gujarat Legislative Assembly under the Representation of the People Act, 1950 (XLIII of 1950) after the qualifying date, may apply to the designated officer for inclusion of his name in the list.

(5) Where the designated officer, after making such inquiry as he may consider necessary, is satisfied, that the applicant is entitled to be so registered in the relevant part of the electoral roll of the Gujarat Legislative Assembly under the Representation of the People Act, 1950 (XLIII of 1950), he shall direct the name of the applicant to be included in the list of voters:

Provided that no such direction shall be given if the applicant is disqualified to vote under this Act or any other law for the time being in force.

(6) No amendment, deletion or addition of any entry in the list of voters shall be made under sub-section (3) and no direction for

inclusion of a name in the list of voters for any ward shall be given under sub-section (5) during the period between such date as the State Government may by general or special order notify in this behalf and the date of the completion of any concerned election in that ward.

Exploitation.-In this section, the expression "qualifying date" shall have the same meaning as in clause (b) of section 14 of the Representation of the People Act, 1950

4. Amendment Of Section 33 Of Guj. 34 Of 1964 :-

In sub-section (1) of section 33 of the principal Act, for the words "four years" the words "five years" shall be substituted.

5. Amendment Of Section 49 Of Guj. 34 Of 1964 :-

In section 49 of the principal Act,-

(1) in clause (c) of sub-section (1) for the figures "100" the figures "200" shall be substituted;

(2) in clause (a) of sub-section (2) for the figures "100" the figures "200" shall be substituted.

6. Amendment Of Section 258 Of Guj. 31 Of 1964 :-

In sub-section (3) of section 258 of the principal Act, for the words "eight days" the words "thirty days" shall be substituted.

7. Amendment Of Section 260 Of Guj. 34 Of 1964 :-

In section 260 of the principal Act, for the word "honorarium" occurring at two places the word "remuneration" shall be substituted.

8. Repeal Of Guj. Ord. 1 And 2 Of 1969 :-

The Gujarat Municipalities (Amendment) Ordinance, 1969 (Guj. Ord. 1 of 1969) and the Gujarat Municipalities (Second Amendment) Ordinance, 1969 (Guj. Ord. 2 of 1969) are hereby repealed and the provisions of sections 7 and 25 of the Bombay General Clauses Act, 1904 (Bom. I of 1904) shall apply to such repeal as if the Ordinances were enactments.