

Gujarat Provincial Municipal Corporations Act, 1949

23 OF 2014

[28 November 2014]

CONTENTS

1. Short title and commencement.
2. Amendment of section 10 of Bom. LIX of 1949.
3. Amendment of section 15 of Bom. LIX of 1949.
4. Amendment of section 11 of Guj. 34 of 1964.
5. Amendment of section 7 of Guj. 18 of 1993.
6. Amendment of section 9 of Guj. 18 of 1993.
7. Amendment of section 30 of Guj. 18 of 1993.

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AN ACT

further to amend the Gujarat Provincial Municipal Corporations Act, 1949, the Gujarat Municipalities Act, 1963 and the Gujarat Panchayats Act, 1993.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows:-

1. Short title and commencement. :-

(1) This Act may be called the Gujarat Local Authorities Laws (Amendment) Act, 2014.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Amendment of section 10 of Bom. LIX of 1949. :-

In the Gujarat Provincial Municipal Corporations Act, 1949 (hereinafter referred to as "the Municipal Corporations Act"), in section 10, in sub-section (1), after clause (h), the following clause shall be inserted, namely:-

"(hh) has no facility of water closet or privy accommodation at the

place of his ordinary residence:

Provided that a sitting Councillor shall be deemed to have incurred disqualification if he does not submit to the Municipal Commissioner, within six months from the date of commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2014, a certificate issued by the concerned Deputy Municipal Commissioner of the Corporation in whose jurisdiction his ordinary residence is situated, to the effect that he is having facility of water closet or privy accommodation at the place of his ordinary residence;".

3. Amendment of section 15 of Bom. LIX of 1949. :-

In the Municipal Corporations Act, in section 15, in sub-section (1), for the words "three months", the words "six months" shall be substituted.

4. Amendment of section 11 of Guj. 34 of 1964. :-

In the Gujarat Municipalities Act, 1963, in section 11, in subsection (1), after clause (f), the following clause shall be inserted, namely:-
"(ff) has no facility of water closet or privy accommodation at the place of his ordinary residence :

Provided that a sitting Councillor shall be deemed to have incurred disqualification if he does not submit to the District Collector, within six months from the date of commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2014, a certificate issued by the Chief Officer of the concerned Municipality in whose jurisdiction his ordinary residence is situated, to the effect that he is having facility of water closet or privy accommodation at the place of his ordinary residence.

Explanation.- For the purpose of this clause, "water closet or privy accommodation" shall have the same meaning as is given to the term "water closet" in Explanation to section 167A of the Act;".

5. Amendment of section 7 of Guj. 18 of 1993. :-

In the Gujarat Panchayats Act, 1993 (hereinafter referred to as "the Panchayats Act"), in section 7, in sub-section (1), for the words "fifteen thousand", the words "twenty-five thousand" shall be substituted.

6. Amendment of section 9 of Guj. 18 of 1993. :-

In the Panchayats Act, in section 9,-

(a) in sub-section (4), for the words "one thousand", the words "three thousand" shall be substituted;

(b) to sub-section (4), the following proviso shall be added, namely:-

"Provided that the amendment made in this sub-section by the Gujarat Local Authorities Laws (Amendment) Act, 2014 shall not have effect till the expiration of duration of any village panchayat, unless sooner dissolved."

7. Amendment of section 30 of Guj. 18 of 1993. :-

In the Panchayats Act, in section 30, in sub-section (1), after clause (k), the following clause shall be inserted, namely:-

"(kk) has no facility of water closet or privy accommodation at the place of his ordinary residence:

Provided that a sitting member shall be deemed to have incurred disqualification if he does not submit to the Taluka Development Officer of the taluka, within six months from the date of commencement of the Gujarat Local Authorities Laws (Amendment) Act, 2014, a certificate issued by the Gram Panchayat Mantri of the panchayat in whose jurisdiction his ordinary residence is situated, to the effect that he is having facility of water closet or privy accommodation at the place of his ordinary residence.

Explanation.- For the purpose of this clause, "water closet or privy accommodation" shall have the same meaning as is given to the term "water closet" in Explanation to section 107 of the Act;".