

## **Gujarat Statutory Bodies Laws (Amendment and Validation) Act, 1999**

**1 of 1999**

**[9th March, 1999]**

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### **SCHEDULE 1 :- SCHEDULE**

## **Gujarat Statutory Bodies Laws (Amendment and Validation) Act, 1999**

**1 of 1999**

**[9th March, 1999]**

An Act further to amend the laws relating to statutory bodies and to validate termination of tenure of certain offices of such bodies. It is hereby enacted in the Fiftieth Year of the Republic of India as follows:

### **1. Short title :-**

(1) This Act may be called the Gujarat Statutory Bodies Laws (Amendment and Validation) Act, 1999.

### **2. Definitions :-**

In this Act, unless the context otherwise requires,

(i) "laws relating to statutory bodies" means enactments specified in column 2 of the Schedule;

(ii) "relevant provisions" means the provision relating to tenure of office of a Chairman, Vice-Chairman and Directors or, as the case may be, members, of a statutory body, in each of laws relating to

statutory bodies, as amended by Sec. 3;

(iii) "statutory body" means the Authority, Board or Corporation constituted under an enactment specified in column 2 of the Schedule.

**3. Amendment of laws relating to statutory bodies :-**

Each of the enactments specified in column 2 of the Schedule shall be amended to the extent and in the manner specified against it in column 3 of the said Schedule.

**4. Validation of termination of tenure of office of Chairman, ViceChairman and Director or members of statutory bodies :-**

The tenure of office of a chairman, Vice-Chairman and Directors or, as the case may be, members, of a statutory body, terminated immediately before the commencement of this Act shall be and shall be deemed always to have been validly terminated in accordance with law, as if the relevant provision had been included in and formed part of the laws relating to statutory bodies and had been in force at all material times when the tenure of office of Chairman, Vice-Chairman and Directors or, as the case may be, members, of a statutory body was terminated and accordingly no suit or other proceeding questioning the validity of such termination shall be maintained or continued in any court.

**5. Chairman, Vice-Chairman, Director and member of statutory bodies to hold office during pleasure of State Government :-**

A Chairman, Vice-Chairman and Director or, as the case may be, member, who is appointed or nominated as such by the State Government in a statutory body before the commencement of this Act and who continues to hold such office on such commencement shall be and shall be deemed always to have been appointed or nominated to hold such office during the pleasure of the State Government, notwithstanding anything contrary contained in the law relating to statutory bodies or any rules, regulations or orders made there under:

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\\	\\		\\		\\	\\ \\
		11. The Gujarat		In Sec. 5.		

\\	\\	Town Planning \\ \\ \\	\\	\\ \\ \\	\\	\\ \\
\\	\\	and Urban Development \\ \\ \\	\\	(Il in sub-sec. (5), for the words "The Term of office and \\ \\ \\	\\	\\ \\
\\	\\	Act, 1976 (President's Act \\ \\ \\	\\	conditions of service", the words "The conditions of \\ \\ \\	\\	\\ \\
\\	\\	No. 27 of 1976). \\ \\ \\	\\	service" shall be and shall be deemed always to have \\ \\ \\	\\	\\ \\
\\	\\	\\ \\ \\	\\	been substituted; \\ \\ \\	\\	\\ \\
\\	\\	\\ \\ \\	\\	(2) after sub-sec. (5), the following sub-section shall be and \\ \\ \\	\\	\\ \\
\\	\\	\\ \\ \\	\\	shall be deemed always to have been inserted. \\ \\ \\	\\	\\ \\
\\	\\	\\ \\ \\	\\	namely: \\ \\ \\	\\	\\ \\
\\	\\	\\ \\ \\	\\	"(5-A) The Chairman and the members of an Area \\ \\ \\	\\	\\ \\
\\	\\	\\ \\ \\	\\	Development Authority other than ex- <i>officio</i> members \\ \\ \\	\\	\\ \\
\\	\\	\\ \\ \\	\\	shall hold office during the pleasure of the State \\ \\ \\	\\	\\ \\

\\	\\	\\ \\ \\	\\	Government."	\\	\\ \\ \\
\\	\\	\\ \\ \\	\\	(3) in sub-sec. (7), for the portion beginning with the words	\\	\\ \\ \\
\\	\\	\\ \\ \\	\\	"as the case may be," and ending with the words	\\	\\ \\ \\
\\	\\	\\ \\ \\	\\	"vacancy had not occurred", the words "as the case may	\\	\\ \\ \\
\\	\\	\\ \\ \\	\\	be", shall be and shall be deemed always to have been	\\	\\ \\ \\
\\	\\	\\ \\ \\	\\	substituted.	\\	\\ \\ \\
\\	\\	12. The Gujarat Municipal	\\	(1) In Sec. 6, for sub-sec. (1), the following sub-section	\\	\\ \\ \\
\\	\\	Finance Board Act, 1979	\\	shall be and shall be deemed always to have been	\\	\\ \\ \\
\\	\\	(Guj. 12 of 1979).	\\	substituted, namely.	\\	\\ \\ \\
\\	\\	\\ \\ \\	\\	"(1) The Chairman and the members other than	\\	\\ \\ \\
\\	\\	\\ \\ \\	\\	those appointed by virtue of their office shall hold office	\\	\\ \\ \\

\\	\\	\\ \\ \\	\\	during the pleasure of the State Government". \\ \\ \\	\\	\\ \\
\\	\\	\\ \\ \\	\\	(2) In Sec. 8, for the portion beginning with the words "as \\ \\ \\	\\	\\ \\
\\	\\	\\ \\ \\	\\	early as practicable" and ending with the words "had \\ \\ \\	\\	\\ \\
\\	\\	\\ \\ \\	\\	not occurred", the words "as early as practicable" shall \\ \\ \\	\\	\\ \\
\\	\\	\\ \\ \\	\\	be and shall be deemed always to have been \\ \\ \\	\\	\\ \\
\\	\\	\\ \\ \\	\\	substituted. \\ \\ \\	\\	\\ \\
\\	\\	\\ \\ \\	\\	(3) In Sec. 28, in sub-sec. (2), for clause (a), the following \\ \\ \\	\\	\\ \\
\\	\\	\\ \\ \\	\\	clause shall be and shall be deemed always to have \\ \\ \\	\\	\\ \\
\\	\\	\\ \\ \\	\\	been substituted, namely: \\ \\ \\	\\	\\ \\
\\	\\	\\ \\ \\	\\	"(a) the honorarium, sitting fees and allowances of \\ \\ \\	\\	\\ \\
\\	\\	\\ \\ \\	\\	the Chairman and sitting fees and allowances \\	\\	\\ \\

		\\		\\		
\\	\\	\\ \\ \\	\\	\\ \\ \\ \\ \\	\\	\\ \\ \\
\\	\\	\\ \\ \\	\\	\\ \\ \\ \\	\\	\\ \\ \\
\\	\\	13. The Gujarat Water Supply	\\	under sub-sec. (3) of Sec. 6;". \\ \\ \\	\\	\\ \\ \\
\\	\\	\\ \\ \\	\\	In Sec. 6, for sub-sees. (1) to (4), the following sub-sec. \\ \\ \\	\\	\\ \\ \\
\\	\\	and Sewerage Board Act, \\ \\ \\	\\	shall be substituted, namely: \\ \\ \\	\\	\\ \\ \\
\\	\\	1978 (Guj. 18 of 1979). \\ \\ \\	\\	"(1) The Chairman, Member-Secretary and the \\ \\ \\ \\	\\	\\ \\ \\
\\	\\	\\ \\ \\	\\	members other than <i>ex-officio</i> members shall hold \\ \\ \\ \\	\\	\\ \\ \\
\\	\\	\\ \\ \\	\\	office during the pleasure of the State Government: \\ \\ \\ \\	\\	\\ \\ \\
\\	\\	\\ \\ \\	\\	Provided that a person appointed as member under \\ \\ \\ \\	\\	\\ \\ \\
\\	\\	\\ \\ \\	\\	clause (f) of sub-sec. (1) of Sec. 4 shall cease to be a \\ \\ \\ \\	\\	\\ \\ \\
\\	\\	\\ \\ \\	\\	member, if he ceases to be the ejected head of the local \\ \\ \\ \\	\\	\\ \\ \\

\\	\\	\\ \\ \\	\\	body concerned.".	\\	\\ \\
\\	\\	14. The Gujarat Unprotected	\\	(1) In Sec. 6, for sub-sec. (7), the following sub-section	\\	\\ \\
\\	\\	Manual Workers	\\	shall be substituted, namely:	\\	\\ \\
\\	\\	(Regulation of Employment	\\	"(7) The Chairman and the members shall hold	\\	\\ \\
\\	\\	and Welfare) Act, 1979 (Guj.	\\	office during the pleasure of the State Government.".	\\	\\ \\
\\	\\	25 of 1979).	\\		\\	\\ \\
\\	\\		\\	(2) In Sec. 12, for the portion beginning with the words	\\	\\ \\
\\	\\		\\	"the vacancy shall be filled" and ending with the words	\\	\\ \\
\\	\\		\\	"vacancy had not occurred", the words "the vacancy	\\	\\ \\
\\	\\		\\	shall be filled not later than ninety days from the date	\\	\\ \\
\\	\\		\\	of receipt of such communication" shall be substituted.	\\	\\ \\

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