

DPC ACT

No. GIGNIU2 No. 11 C) Cbe Gujarat G5Nâette EXTRAORDINARY PUBLISHED BY AUTHORITY SATURDAY, MARCH 29; 2008/cATi'RA 9, 1930 vul : XLIXI Separate paging is given to this Part in order that it may..be filed •as a Separate the Gujocut And by the Governor. 'The following the Qujaral Legislature/ having been assente,cl to by the Governor on the 29111 March, 2008 is hereby published for ge.:ne.ral information. Secretary to the Government of Ciujarar,, Legislative and Affairs Department,' GUJARAT ACT NO. n QF 200%; (First published, after having receivi(l the assen,t Of the Ck'lvernc-•r in • the "Gujarat Government Gazette", on 'he 2(jll March, AN ACT to provide Cor the constitution of the District Planning at 'the district level for consolidation of lthe plans præpurgd by the Panchayats and the Municipalities ill lthe'district and preparation of draft development plan for the district as; a whole. It is hereby enacted in the Fitly-ninth Yeal• (l'i'e République of Indio as follows: This • Act Juay be galledAhe;0Guijarât District Pli,nping (1) Committees 2008. Short title, extent and 0m. LIX or the the Slate Ot' Guarat except the areas 10 which the provisions of the Bombay Provincialtlunigipal •tit.ion:s Agt. 1949 apply. 13X,, 90 in; may; by in Che QJflgi41 oppoint, In this unless c;qn!\$xt..9thUrwise rgquires, 2. Dciinitions. gf Planning (u) (g) (d) 3, meqn•s District constituted under sub-sgction (I) of section 3; - "District Colléetoc" c •Additional District Collector, 01' other O('licecc •op.point%1 "the . discharge all or any of the' fynci'tions 01' ihe under this Act; "Pi\$tgigt Panchayat" means Panchayat defined in (7) 2 'or the Ci.üjarut Act, 1993. "Municipality" means municipality 'as deriiluc;l .in (14) QC Munigil:volilie;; '1963; "population" the 'populdlion as ascerlaio"\$d at the last preceding' census 01' which the relevant have been published; "prescribed" means prescribed by rules; "rural means area within a E.vplquatiei;. 'Taluka!' means as defined in clause (25) of 2 of lthe .Pauchayat\$. Act,' 093; urea" mean\$ an area:vwithin: a Mupicipp)ity; "Che . State Government shall, by' notification in the QLQcial Guj. Gul, 34 Guj. of 1993* Gazelle, cc. nslilu(e District Planning (Conuniltee in eac'l'i district consisting Of such number persons not less thun thirty and not more than lörty as; it may determine. (2) The District Committee shall consist or following mprnbers, namely + the Chairperson Of the committee 'to be nominated vy the State Government; (iii) (iv) (vii) (3) 11 I be the District Development Officer; the 'Plonning QI'figec,Avhe •lthe- .Ivlen'lbeu•-Secxetary of Chg Committee; 0 Illic; •1 10 ving spvéiäl knowledge in .01' plnnning, administration; such numbgr of memyrs determined uy lthe l'l'01n members and dvlvrniinv,d by lthe State Governmcnc, be elected by and from the electeccl the provided that not than lotti'l number Oj- members of lthe Comn'littee *boll be elected by amongst the elected members of Che and of the Munigipglitius in llie in proporgipn between the population the and in IIIC. District. members the :pcdplv lthe mvrnbers 01' lthe Ciujoral Assembly •elected. lthe District or a part thereof Shull be -tnvitees •Planning such' oiliéer or the.iSttite C.fdvrenmenl of any Corporation or in lhg field ul'e economic*, plunning, engineering, finance or adn•iini\$tlütion, as det'ided by chg Scate Government, shall be the permanent invitees u) the District Planning Committee. (3) (4) (5) IP.M{T Committee' in the -us may be prescribed, The District Collector shall appoint a Retuning Officer and many Assi\$slanc Returning Officers as Inay necessary conducting lthe electipn of members to the C.onuniuge, powers ,gnd functions of Regnoing ()ificer and the 'Assi;tant Returning Offigers shall be as may • be Whevg dispute' arise* regarding. any election held under this Act', any person entitled yote at sqcla election may, within after tng daw of declaration ot' the results elgefion, a peliticm, Göliing in, qqc. •\$ion sgch QI' Stow; having Elgcision Of Election C •onuui\$biongc Shull bg tinoi.ond *holl bg culled in quesli01i in 'any vouvl.. Notwithstanding anything to the contrary contained in (his Act in any other law for the time being in; no •civil court Jaw shall have jurisdiction tiny ,petiliop calling in , question the validity of any elegt;on held under thiS Agt. 'The teiéni office of the members of the Committee other Term' 01' offigc und other conditions mevnber; of Committee. 5, than ex-oJJjciQ, shall bg five • (2) member a Committee, is Distriqv Municipality, the House of the People, the Legislative the State shall cease to be a mgrnbgr of the Committee he be a rnenibcc the respective District PqnOhqyot, Municipalivy, lbe House@f the People or the Assembly Q!' the Stoic. (3) The •other terms and conditions members of the Committey be m;apay presgribed,. CiWJAl{/VI' the bgng Chairperson shall be deemed hove vacated bis ol'licg•. (ii) The Vice-Chairperson qr a member 01' the Committee ul any lime, resign his office by writing to the Chairperson and, on suéh resignation being, accepted, the Vice-Chairperson' or, as the case may bej the member Shal! be deemed to have vacated his office. Any vacancy occurring by

reason of death, resignation otherwise 7. eligibility of members of the Committee shall be determined by election of another member in the manner may be prescribed/ The State Government shall provide to the Committee such sum as it may think fit for carrying out the functions of the Committee under this Act. (1) The Committee shall meet on such date, such time and place as the Chairperson may think fit and shall observe such rules of procedure in regard to the transaction of business at its meetings: may be prescribed by rules: Provided that the Chairperson, when required in writing by at least one-third of the members of the Committee, shall meet within one month from the receipt of the notice. (2) Minimum of ten members, shall form meeting of the Committee: Provided that no quorum shall be necessary for an adjourned meeting. (3) The Secretary of the Committee shall maintain records and the proceedings of the meetings of the Committee and shall take such actions as the Committee may decide. Filling of casual vacancy In place of an elected member. Committee. 11.6 Powers and functions of Committee. 10. (2) (3) (5) GUJARAT GOVERNMENT GAZETTE EX. 29-3-2008 The Government shall— consolidate the plans prepared by the Panchayats and (a) the Municipalities in the district, and (b) prepare a draft development plan for the district as a whole. The Committee shall in preparing the draft development plan under clause (b) of sub-section (1), have regard to [PART (i) matter; of common interest "between the Panchayats and the Municipalities including spatial planning, sharing of water and other physical natural resources; integrated development and environmental conservation; the extent and type of available resources, whether financial or otherwise; (b) consult such institutions and as the State Government may by order, specify, may, by Order, sign to the Committee such other functions relating to district The State Government may constitute Sub-Committees as may be deemed necessary for carrying out the purposes of this Act in the manner as may be prescribed. The Chairperson of the Committee shall forward the draft development plan, as recommended by it to the State Government in the manner as may be prescribed, PART IV 11. 12. a) (3) (4) GOVERNMENT GAZETTE EX. 29-3-2008 The State may, by Rules made under this Act, make rules for carrying out the purposes of this Act. In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters, which under any provision of this Act are required to be prescribed or to be provided for by rules. All rules made under this section shall be laid not less than, thirty days before the State Legislature as soon as possible after they are made and shall be subject to rescission by the State Legislature or to such modification as the State Legislature may make during the session in which they are laid or the session immediately following. Any rule made by the State Legislature shall be published in the Official Gazette. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as appear to be necessary or expedient for removing the difficulty : Provided that no order under sub-section (1) shall be made after the expiry of two years from the date of this Act. (2) Every order made under this section shall be laid, soon as may be after it is made, before the State Legislature.