



**The Gandhidham (Development and Control on Erection of Buildings)  
(Amendment) Act, 1961**

35 of 1961

**Keyword(s):**  
**Building, Penalty**

**Amendment appended: 12 of 1966**

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# The Gujarat Government Gazette

## EXTRAORDINARY

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### PART IV

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M. G. MONANI,  
Secretary to the Government of Gujarat,  
Legal Department.

#### GUJARAT ACT No. XXXV OF 1961

*( First published, after having received the assent of the Governor in the "Gujarat Government Gazette" on the 18th November 1961)*

An Act to amend the Gandhidham ( Development and Control on Erection of Buildings ) Act, 1957 for certain purposes.

It is hereby enacted in the Twelfth Year of the Republic of India as follows :—

1. This Act may be called the Gandhidham ( Development and Control on Erection of Buildings ) ( Amendment ) Act, 1961. Short title.

Amendment of section 8 of Bom. XIX of 1958. **2.** In section 8 of the Gandhidham ( Development and Control on Erec- tion of Buildings ) Act, 1957 ( hereinafter referred to as "the principal Act" ) to sub-section (I), the following proviso shall be added, namely:—

Bom. XIX of 1958.

"Provided that no fee shall be payable where the application is made by an officer or a department of Government".

Amendment of section 12 of Bom. XIX of 1958. **3.** In section 12 of the principal Act, in the proviso to sub-section (I), for the words and figures "to the Board of Appeal constituted under section 19" the words and figures "to the District Judge, Kutch, who shall constitute a Board of Appeal under section 19 for deciding the reference" shall be substituted.

Amendment of section 18 of Bom. XIX of 1958. **4.** In section 18 of the principal Act, for the words and figures "appeal to a Board of Appeal constituted under section 19" the words and figures "present an appeal to the District Judge, Kutch, who shall constitute a Board of Appeal under section 19 for deciding the appeal" shall be substituted.

Amendment of section 19 of Bom. XIX of 1958. **5.** In section 19 of the principal Act, for sub-section (4), the following shall be substituted, namely :—

"(4) The President and the Assessors shall be members of the Board of Appeal for such period as may be required by such Board to decide a reference under the proviso to sub-section (I) of section 12 or an appeal under section 18."



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**PART IV**

**Acts of the Gujarat Legislature and Ordinances promulgated and  
Regulations made by the Governor.**

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 29th September 1966 is hereby published for general information.

SUMANT M. VIDYARTHI,  
Secretary to the Government of Gujarat,  
Legal Department.

**GUJARAT ACT NO. 12 OF 1966.**

(First published after having received the assent of the Governor in the "Gujarat Government Gazette" on the 30th September, 1966.)

An Act to amend the Gandhidham (Development and Control on Erection of Buildings) Act, 1957.

It is hereby enacted in the Seventeenth Year of the Republic of India as follows :—

1. This Act may be called the Gandhidham (Development and Control on Short title. Erection of Buildings) (Amendment) Act, 1966.

2. In section 3 of the Gandhidham (Development and Control on Erection of Buildings) Act, 1957 (hereinafter referred to as "the principal Act"), after sub-section (4), the following sub-section shall be inserted, namely :—

Bom.  
XIX  
of  
1958.

Amendment  
of section 3  
of Bom. XIX  
of 1958.

“(4A) The Chairman, the members other than members *ex-officio* and the Secretary, of the Authority shall receive such emoluments as may be prescribed.”.

Amendment of section 4 of Bom. XIX of 1958. 3. In section 4 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely :—

“(3) The Authority may have and use such official seal as may be prescribed.”.

Insertion of new section, 18A in Bom. XIX of 1958. 4. After section 18 of the principal Act, the following new section shall be inserted, namely :—

Compounding of offences. “18A. (1) The Authority or any person authorised by the Authority by a general or special order in this behalf may, either before or after the institution of proceedings for any offence punishable under this Act, accept from any person charged with such offence a sum not exceeding ten thousand rupees by way of composition of the offence.

(2) On payment of such sum as may be determined by the Authority or, as the case may be, the person so authorised, no further proceedings shall be taken against the accused person in respect of the same offence.”.

Insertion of new section 27A in Bom. XIX of 1958. 5. After section 27 of the principal Act, the following new section shall be inserted, namely :—

Member, officer and employee of Authority to be public servant. “27A. Every member and every officer and other employee of the Authority shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.”. XLV of 1860.

Amendment of section 31 of Bom. XIX of 1958. 6. In section 31 of the principal Act,—

(1) in sub-section (2),—

(i) after clause (a), the following clause shall be inserted, namely :—

“(aa) the emoluments payable to the Chairman, members and the Secretary of the Authority;”;

(ii) for clause (b), the following shall be substituted, namely :—

“(b) the official seal of the Authority;”;

(2) for sub-section (3), the following sub-sections shall be substituted, namely :—

“(3) All regulations made under this section shall be laid for 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 modifications as the State Legislature may make during the session in which they are so laid or the session immediately following.

(4) Any rescission or modifications so made by the State Legislature shall be published in the *Official Gazette* and shall thereupon take effect.”.