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PART IV

Acts of 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 27th September, 2023 is hereby published for general information.

K. M. LALA,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 17 OF 2023.

(First published, after having received the assent of the Governor, in the "*Gujarat Government Gazette*", on the 29th September, 2023).

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 Seventy-fourth Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Local Authorities Laws (Amendment) Act, 2023. **Short title and commencement.**
- (2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

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|----------------------------------------------------|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Amendment of section 5 of Bom. LIX of 1949. | 2. | <p>In the Gujarat Provincial Municipal Corporations Act, 1949, in section 5, in sub-section (6), -</p> <p>(i) for the words “One –tenth of the total number of seats”, the words “Twenty-seven per cent. of the total number of seats” shall be substituted;</p> <p>(ii) the following proviso shall be added, namely:-</p> <p>“Provided that the reservation available to the persons belonging to the Backward Classes shall be subject to aggregate reservation of fifty per cent. of the total number of seats.”.</p> | Bom. LIX of 1949. |
| Amendment of section 6 of Guj. 34 of 1964. | 3. | <p>In the Gujarat Municipalities Act, 1963, in section 6, in sub-section (3), in clause (c), -</p> <p>(i) for the words “One –tenth of the total number of seats”, the words “Twenty-seven per cent. of the total number of seats” shall be substituted;</p> <p>(ii) the following provisos shall be added, namely:-</p> <p>“Provided that the reservation available to the persons belonging to the Backward Classes shall be subject to aggregate reservation of fifty per cent. of the total number of seats:</p> <p>Provided however that one-tenth of the total number of seats shall be reserved for the persons belonging to the Backward Classes, where the population of the persons belonging to the Scheduled Castes and Scheduled Tribes categories exceeds forty per cent. of the total population and the seats for such categories shall be required to be reserved in accordance with the provisions of clause (a) above.”.</p> | Guj. 34 of 1964. |
| Amendment of section 9 of Guj. 18 of 1993. | 4. | <p>In the Gujarat Panchayats Act, 1993 (hereinafter referred to as “the Panchayats Act”), in section 9, in sub-section (5), in clause (a), in sub-clause (ii), -</p> <p>(i) for the words “one tenth of the total number of seats”, the words “twenty-seven per cent. of the total number of seats” shall be substituted;</p> <p>(ii) the following provisos shall be added, namely:-</p> <p>“Provided that the reservation available to the persons belonging to the socially and educationally backward classes shall be subject to aggregate reservation of fifty per cent. of the total number of seats:</p> <p>Provided however that one tenth of the total number of seats shall be reserved for the persons belonging to the socially and educationally backward classes, where the population of the persons belonging to the Scheduled Castes and Scheduled Tribes categories exceeds forty per cent. of the total population and the seats for such categories shall be required to be reserved in accordance with the provisions of sub-clause (i) above.”.</p> | Guj. 18 of 1993. |
| Amendment of section 10 of Guj. 18 of 1993. | 5. | <p>In the Panchayats Act, in section 10, in sub-section (5), in clause (a), in sub-clause (ii), -</p> <p>(i) for the words “One tenth of the total number of seats”, the words “Twenty-seven per cent. of the total number of seats” shall be substituted;</p> <p>(ii) the following provisos shall be added, namely:-</p> | |

“Provided that the reservation available to the persons belonging to the socially and educationally backward classes shall be subject to aggregate reservation of fifty per cent. of the total number of seats:

Provided however that one tenth of the total number of seats shall be reserved for the persons belonging to the socially and educationally backward classes, where the population of the persons belonging to the Scheduled Castes and Scheduled Tribes categories exceeds forty per cent. of the total population and the seats for such categories shall be required to be reserved in accordance with the provisions of sub-clause (i) above.”.

6. In the Panchayats Act, in section 11, in sub-section (5), in clause (a), in sub-clause (ii), - **Amendment of section 11 of Guj. 18 of 1993.**
- (i) for the words “One tenth of the total number of seats”, the words “Twenty-seven per cent. of the total number of seats” shall be substituted;
- (ii) the following provisos shall be added, namely:-
- “Provided that the reservation available to the persons belonging to the socially and educationally backward classes shall be subject to aggregate reservation of fifty per cent. of the total number of seats:
- Provided however that one tenth of the total number of seats shall be reserved for the persons belonging to the socially and educationally backward classes, where the population of the persons belonging to the Scheduled Castes and Scheduled Tribes categories exceeds forty per cent. of the total population and the seats for such categories shall be required to be reserved in accordance with the provisions of sub-clause (i) above.”.
7. In the Panchayats Act, in section 51, in sub-section (2), in clause (a), - **Amendment of section 51 of Guj. 18 of 1993.**
- (i) for the words “ten percent of the offices”, the words “twenty-seven per cent. of the offices” shall be substituted;
- (ii) the following provisos shall be added, namely:-
- “Provided that the reservation available to the persons belonging to the socially and educationally backward classes shall be subject to aggregate reservation of fifty per cent. of the total number of seats:
- Provided however that one tenth of the total number of offices shall be reserved for the persons belonging to the socially and educationally backward classes, where the population of the persons belonging to the Scheduled Castes and Scheduled Tribes categories exceeds forty per cent. of the total population and the seats for such categories shall be required to be reserved in accordance with the provisions of this clause.”.
8. In the Panchayats Act, in section 63, in sub-section (2), in clause (a), - **Amendment of section 63 of Guj. 18 of 1993.**
- (i) for the words “ten percent of the offices”, the words “twenty-seven per cent. of the offices” shall be substituted;
- (ii) the following provisos shall be added, namely:-
- “Provided that the reservation available to the persons belonging to the socially and educationally backward classes shall be subject to

aggregate reservation of fifty per cent. of the total number of seats.”.

Provided however that one tenth of the total number of offices shall be reserved for the persons belonging to the socially and educationally backward classes, where the population of the persons belonging to the Scheduled Castes and Scheduled Tribes categories exceeds forty per cent. of the total population and the seats for such categories shall be required to be reserved in accordance with the provisions of this clause.”.

**Amendment of
section 77 of
Guj. 18 of 1993.**

9. In the Panchayats Act, in section 77, in sub-section (2), in clause (a), -

- (i) for the words “ten percent of the offices”, the words “twenty-seven per cent. of the offices” shall be substituted;
- (ii) the following provisos shall be added, namely:-

“Provided that the reservation available to the persons belonging to the socially and educationally backward classes shall be subject to aggregate reservation of fifty per cent. of the total number of seats:

Provided however that one tenth of the total number of offices shall be reserved for the persons belonging to the socially and educationally backward classes, where the population of the persons belonging to the Scheduled Castes and Scheduled Tribes categories exceeds forty per cent. of the total population and the seats for such categories shall be required to be reserved in accordance with the provisions of this clause.”.

