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Separate paging is given to this part in order that it may be filed as a Separate Compilation.

PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT LAND REVENUE (THIRD AMENDMENT)

BILL, 2019.

GUJARAT BILL NO. 32 OF 2019.

further to amend the Gujarat Land Revenue Code, 1879.

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

1. (1) This Act may be called the Gujarat Land Revenue (Third Amendment) Act, 2019.

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.

Amendment
of section
125L of Bom.
V of 1879.

2. In the Gujarat Land Revenue Code, 1879, in section 125L, for sub-sections (1) and (2), the following sub-sections shall be substituted, namely:-

Bom. V
of 1879.

“(1) On receipt of supplemental revenue settlement fee from the claimant, the authorized revenue officer shall issue a certificate of claim reflecting the sum of compounding fee and supplemental revenue settlement fee; and indicating amount of premium and other Government dues, if any, for reflecting the entry in the Register of Mutations during the relevant period in such form and manner as may be prescribed by the State Government.

(2) The certificate issued by the authorised revenue officer shall be valid for a period of 365 days. During this period, if the claimant pays compounding fee, Government dues and premium, etc. in four equal instalments as indicated in the certificate of claim, an entry to this effect shall be made in the Register of Mutations and a Certificate of No Dues shall be issued which shall be valid for reporting of acquisition of rights under section 135C. If the claimant does not make the payment of the Government dues and premium as indicated within a said period of 365 days, the revenue officer shall proceed to make an entry in the Register of Mutations reflecting payment of compounding fee, amount of premium and other Government dues in the entry against the claimant.”.

STATEMENT OF OBJECTS AND REASONS

The Gujarat Land Revenue Code, 1879 provides for creation, updation and preservation of records of rights in respects of lands for the purpose of land revenue and maintenance of registers of mutations.

During the last few years due to rapid economic and other developing activities taking place in the State, certain transitional areas have come into existence in violation of terms and conditions or the restrictions provided for in such revenue laws leading to inchoate rights, titles and interests over the lands. This has resulted in a situation where the records of rights and registers of mutations do not show the actual status of the holding of the land etc. and therefore disparity in determining actual status of occupancies recorded in records of rights was faced in the smooth administration of revenue laws. To overcome such issues, Chapter IX-A of the Gujarat Land Revenue Code, 1879 of land within transitional areas has been introduced in the said Act.

During the implementation of the said Chapter IX-A of the Gujarat Land Revenue Code, 1879, some claimants face difficulties in making payments of compounding fees, revenue supplemental fees and amount of premium and other Government dues payable under the said Act within the stipulated period of 90 days to get "Certificate of claim" as well as "Certificate of No dues" for reporting of their acquisition of rights under section 135C of the said Code. To obviate such situation, it is considered necessary to enhance the said period from 90 days to 365 days for payment of Government dues and premium, etc. in four equal instalments. Sub-sections (1) and (2) of section 125L of the said Act are proposed to be amended accordingly.

This Bill seeks to amend the said Act of 1879 to achieve the aforesaid objects.

KAUSHIK PATEL,

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill provides for delegation of legislative powers in the following respects:-

Clause 1.- Sub-clause (2) of this clause empowers the State Government to appoint, by notification in the *Official Gazette*, the date on which the Act shall come into force.

Clause 2.- Sub-section (1) of section 125L proposed to be substituted by this clause empowers the State Government to prescribe by rules, the form and the manner in which the certificate shall be issued by the Revenue Officer for reflecting the entry in the Register of Mutations, during the relevant period.

The delegation of legislative powers as aforesaid is necessary and is of a normal character.

Dated the 29th November, 2019.

KAUSHIK PATEL,

By order and in the name of the Governor of Gujarat,

Gandhinagar.

Dated the 29th November, 2019.

K. M. LALA,

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