



The Bombay Land Requisition (Gujarat Amendment) Act, 1974

16 of 1974

Keyword(s):

Land Requisition, Compensation

Amendments appended: 6 of 1980, 13 of 1985, 26 of 1987, 17 of 1990, 17 of 1991

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**THE BOMBAY LAND REQUISITION (GUJARAT
AMENDMENT) ACT, 1974.**

[Act No. 16 of 1974].

Enacted by the President in the Twenty-fifth Year of the Republic of India.

AN ACT

Further to amend the Bombay Land Requisition Act, 1948, as in force in the State of Gujarat.

In exercise of the powers conferred by section 3 of the Gujarat State Legislature (Delegation of Powers) Act, 1974, the President is pleased to enact as follows:—

1. (1) This Act may be called the Bombay Land Requisition (Gujarat Amendment) Act, 1974.

Short title
and com-
mencement.

(2) It shall come into force at once.

Amendment
of section 3.

2. In section 3 of the Bombay Land Requisition Act, 1948, as in force in the State of Gujarat, in sub-section (1), for the words, figures and letters "the 31st day of December, 1974", the words, figures and letters "the 31st day of December, 1975" shall be substituted.

FAKHRUDDIN ALI AHMED,
President.

K. K. SUNDARAM,
Secretary to the Government of India.

REASONS FOR THE ENACTMENT

The Bombay Land Requisition Act, 1948 (as in force in the State of Gujarat) provides for the requisition of land, for the continuance of requisition of land and for certain other purposes. The Act expires on the 31st December, 1974. Although the conditions in respect of housing accommodation in the State in general have substantially improved, there are areas in the State where conditions exist or arise which make it necessary to take recourse to the provisions of the Act. It is, therefore, considered necessary to extend the duration of the Act for a further period of one year, *i.e.* up to 31st December, 1975. The present measure is being enacted to give effect to the said proposal.

2. In view of the urgency of the matter, it is not practicable to consult the Consultative Committee of Parliament on Gujarat Legislation. The measure is accordingly being enacted without reference to the Consultative Committee.

A. N. BANERJI,
Secretary to the Government of India,
(Ministry of Works and Housing),

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

N. C. BUCH,
Joint Secretary to Government.



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THURSDAY, JULY 31, 1980/SRAVANA 9, 1902

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

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
President on the 30th July, 1980 is hereby published for general information.

N. B. PATEL,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 6 OF 1980.

(First published, after having received the assent of the President in the
"Gujarat Government Gazette" on the 31st July, 1980).

An Act further to amend the Bombay Land Requisition Act, 1948.

It is hereby enacted in the Thirty-first Year of the Republic of India as
follows :—

1. This Act may be called the Bombay Land Requisition (Gujarat Amend-
ment) Act, 1980.

Bom. XXX-III of "the principal Act"), section 3 shall be deleted.
1948.

Short tit
Deletion of
section 3
Bom.
XXXIII of
1948.

Amendment
of section
9 of Bom.
XXXIII of
1948.

3. In the principal Act, in section 9,—

(1) after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) Notwithstanding anything contained in sub-section (1), the State Government shall release from requisition,—

(a) any land requisitioned or continued to be subject to requisition under this Act before the commencement of the Bombay Land Requisition (Gujarat Amendment) Act, 1980 on or before the expiry of a period of five years from such commencement; Guj. Ord. of 1980.

(b) any land requisitioned under this Act after such commencement, on or before the expiry of a period of five years from the date on which possession of such land was surrendered or delivered to, or taken by, the State Government or any officer authorised or empowered by the State Government.”;

(2) in sub-section (2), in clause (a), after the words “Upon such release”, the words, brackets, figures and letter “under sub-section (1) or sub-section (1A)” shall be inserted.

Repeal of
Guj. Ord.
No. 10 of
1980.

4. The Bombay Land Requisition (Gujarat Amendment) Ordinance, 1980 is hereby repealed. Guj. Ord. 10 of 1980.

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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
President on the 31st July, 1985, is hereby published for general information.

J. P. VASAVADA,

Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 13 OF 1985.

(First published, after having received the assent of the President in the
"Gujarat Government Gazette" on the 1st August, 1985).

An Act, further to amend the Bombay Land Requisition Act, 1948.

It is hereby enacted in the Thirty-sixth Year of the Republic of India,
as follows :—

1. (1) This Act may be called the Bombay Land Requisition (Gujarat
Amendment) Act, 1985.

Short title,
and Com-
mencement.

(2) It shall be deemed to have come in to force on the 1st August, 1985.

Bom.
xxxiii
of
1948.

2. In the Bombay Land Requisition Act, 1948 (hereinafter referred to
as "the principal Act"), after section 8, the following section shall be inserted,
namely :—

Insertion of
new section
8AA in Bom.
xxxiii of 1948.

Revision of
amount of
compensation.

“8-AA. (1) (a) In a case where any land which has been subject to requisition under this Act for a period of five years or a longer period immediately preceding the commencement of the Bombay Land Requisition (Gujarat Amendment) Act, 1985, the amount of compensation determined under section 8 shall, in respect of such land be revised with effect from the date of such commencement.

Guj.
13 of
1985.

(b) In a case where any land which has been subject to requisition under this Act immediately before such commencement for a period shorter than five years and the maximum period within which such land shall, in accordance with the provisions of sub-section (1-A) of section 9, be released from such requisition, extends beyond five years from such commencement, the amount of compensation determined in respect of such land under section 8 shall be revised with effect from the date of expiry of five years from the date on which possession of such land had been surrendered or delivered to or taken by the State Government or any officer authorised or empowered by the State Government,

(2) The provisions of section 8 and section 8-A-1 shall, so far as may be, apply to the revision of the amount of compensation under this section as they apply to the determination of the amount of compensation under section 8 as if such land had been requisitioned or continued to be subject to requisition, under this Act on the date with effect from which the revision has to be made under sub-section (1).”,

Amendment
of section 9
of Bom.
xxxiii of
1948.

3. In the principal Act, in section 9, in sub-section (1A), for the words “five years” where they occur at two places, the words “seven years” shall be substituted.



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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 President on the 30th July, 1987 is hereby published for general information.

J. N. BHATT,

Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 26 OF 1987.

(First, published after having received the assent of the President in the "Gujarat Government Gazette" on the 31st July, 1987).

An Act further to amend the Bombay Land Requisition Act, 1948.

It is hereby enacted in the Thirty-eighth Year of the Republic of India as follows:—

1. This Act may be called the Bombay Land Requisition (Gujarat Amendment) Act, 1987.

Bom.
XXX
III of
1948.

2. In the Bombay Land Requisition Act, 1948, in section 9, in sub-section (1A), for the words "seven years" where they occur at two places, the words "ten years" shall be substituted.

Short title

Amendment
of Section
9 of Bom.
XXIII of
1948.



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P A R T I V

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 President on the 31st July, 1990 is hereby published for general information.

R. M. MEHTA,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 17 OF 1990.

(First published, after having received the assent of the President in the "Gujarat Government Gazette" on the 31st July, 1990).

AN ACT

further to amend the Bombay Land Requisition Act, 1948.

It is hereby enacted in the Forty-first Year of the Republic of India as follows :—

1. This Act may be called the Bombay Land Requisition (Gujarat Amend-Short title, ment) Act, 1990.

2. In the Bombay Land Requisition Act, 1948, in section 9, in sub-section (1A), for the words "ten years", where they occur at two places, the words "eleven years" shall be substituted.

Amendment
of section
9 of Bom.
XXXIII of
1948.



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P A R T I V

**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
 President on the 8th October, 1991 is hereby published for general information.

R. H. GORI,
 Secretary to the Government of Gujarat,
 Legal Department.

GUJARAT ACT NO. 17 OF 1991.

(First published, after having received the assent of the President in the
 "Gujarat Government Gazette" on the 10th October, 1991).

AN ACT

further to amend the Bombay Land Requisition Act, 1948.

It is hereby enacted in the Forty-second Year of the Republic of India
 as follows :—

1. (1) This Act may be called the Bombay Land Requisition (Gujarat
 Amendment) Act, 1991.

(2) It shall be deemed to have come into force on the 31st July, 1991.

2. In the Bombay Land Requisition Act, 1948 (hereinafter referred to as
 "the principal Act"), in section 9, in sub-section (1A), for the words "eleven
 years", where they occur at two places, the words "thirteen years" shall
 be substituted.

Short title
 and
 commence-
 ment.

Amendment
 of section 9
 of Bom.
 XXXIII of
 1948.

Bom.
 XXXIII
 of 1948.

**Repeal and
Savings.**

3. (1) The Bombay Land Requisition (Gujarat Amendment) Ordinance, 1991 is hereby repealed.

**Guj.
Ord. 2
of 1991.**

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.