



The Prevention of Fragmentation and Consolidated of Holdings (Gujarat
Amendment) Act, 1978

Act 9 of 1979

Keyword(s):

Prevention of Fragmentation and Consolidated of Holdings, Transfer

Amendments appended: 25 of 1982, 14 of 2012, 20 of 2018

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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 23rd March, 1979 is hereby published for general information.

J. P. VASAVADA,

Deputy Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 9 OF 1979.

(First published, after having received the assent of the President in the
"Gujarat Government Gazette" on the 29th March, 1979).

An Act further to amend the Bombay Prevention of Fragmentation and Consoli-
dation of Holdings Act, 1947, for certain purposes.

It is hereby enacted in the Twenty-ninth Year of the Republic of India as
follows:—

1. This Act may be called the Bombay Prevention of Fragmentation and Short title.
Consolidated of Holdings (Gujarat Amendment) Act, 1978.

Amendment
of section 31
of Bom. LXII
Act, 1947.

2. In the Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947, section 31 shall be renumbered as sub-section (1) of that section, and—

Bom.
LXII
of
1947.

(i) in sub-section (1) as so renumbered, in clause (b), for the words "State Government" the word "Collector" shall be substituted;

(ii) after sub-section (1) as so renumbered, the following sub-sections shall be inserted, namely:—

"(2) Nothing in sub-section (1)—

(a) shall apply to a transfer of a holding allotted under this Act where the transfer is of the entire holding, not involving any sub-division thereof, or to a sub-division of a holding allotted under this Act where such sub-division is made to provide for the shares of persons entitled thereto on the death of the owner, and does not create any fragment; or

(b) shall be deemed ever to have applied to a transfer of a holding allotted under this Act, made after the 19th February, 1969, but before the date of the commencement of the Bombay Prevention of Fragmentation and Consolidation of Holdings, (Gujarat Amendment) Act, 1978 (hereinafter referred to as "the said date", where such transfer was of an entire holding not involving any sub-division thereof and the transferee or his successor-in-interest was occupying or was in possession of the holding so transferred immediately before the said date and had not been evicted from such holding before the said date in pursuance of an order of eviction passed by the Collector under sub-section (3) of section 9, and such transfer shall not be, and shall be deemed never to have been, void on the ground that it was contrary to the provisions of this section.

(3) Where in respect of any holding to which clause (b) of sub-section (2) applies an order for payment of fine by the owner transferring such holding was made by the Collector under sub-section (2) of section 9, or an order for eviction was made under sub-section (3) of section 9 but such order was not given effect to, such order shall be deemed to have become ineffective on the said date and the fine, if paid by the owner, shall be refunded to him. Any revision proceedings pending against any such order which becomes ineffective under this sub-section shall abate."



The Bombay Prevention of Fragmentation and Consolidation of Holdings (Gujarat
Amendment) Act, 1982

Act 25 of 1982

Keyword(s):

Prevention, Fragmentation, Consolidation, Holdings

Amendment appended: 14 of 2012

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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 13th October 1982 is hereby published for general information.

K. M. SATWANI,
Secretary to the Government of Gujarat
Legal Department.

GUJARAT ACT NO. 25 OF 1982.

(First published after having received the assent of the President in the
"Gujarat Government Gazette" on the 16 the October, 1982).

AN ACT

further to amend the Bombay Prevention of Fragmentation and Consolidation
of Holdings Act, 1947.

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

1. This Act may be called the Bombay Prevention of Fragmentation and Consolidation of Holdings (Gujarat Amendment) Act, 1982.

2. In the Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947, in section 27, for clause (b), the following shall be substituted, namely :—

Amendment
of section 27
of Bom.
LXI of
1947.

Bom.
LXII
of
1947.

“(b) no person shall transfer any land in respect of which a notice has been given under sub-section (1) of section 15A to the land owner concerned, except with the previous permission in writing given by the Consolidation Officer in such circumstances and subject to such conditions as may be prescribed.”.



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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 President on the 16th November, 2012 is hereby published for general information.

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

GUJARAT ACT NO. 14 OF 2012.

(First published, after having received the assent of the President in the "Gujarat Government Gazette" on the 7th December 2012).

AN ACT

further to amend the Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947.

It is hereby enacted in the Sixty-second year of the Republic of India as follows:-

- (1) This Act may be called the Bombay Prevention of Fragmentation and Consolidation of Holdings (Gujarat Amendment) Act, 2011. **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 2 of Bom. LXII of 1947.

2. In the Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947 (hereinafter referred to as "the principal Act"), in section 2, in clause (3A), for the words and figures "the Bombay Co-operative Societies Act, 1925", the words and figures "the Gujarat Co-operative Societies Act, 1961" shall be substituted.

Bom. VII of 1925.
Guj. 10 of 1962.

Amendment of section 7 of Bom. LXII of 1947.

3. In the principal Act, in section 7,-

(i) for sub-section (1) except the proviso, the following sub-section and the proviso shall be substituted, namely:-

"(1) Any fragment in respect of which a notice has been given under sub-section (2) of section 6 may be transferred to any agriculturalist as defined in relevant tenancy law:

Provided that if such fragment is transferred to the owner of a contiguous survey number or recognised sub-division of a survey number, then such fragment shall be consolidated:";

(ii) in the existing proviso to sub-section (1), for the words "Provided that", the words "Provided further that" shall be substituted.

Amendment of section 9 of Bom. LXII of 1947.

4. In the principal Act, in section 9, for sub-section (2), the following sub-section shall be substituted, namely:-

"(2) The owner of any land so transferred or partitioned shall be liable to pay the fine of rupees five thousand or ten per cent. of the market value of the land, whichever is more, for the urban area as the Collector may direct; and rupees two thousand or ten per cent. of the market value of the land, whichever is more, for the remaining area. Such fine shall be recoverable as an arrears of land revenue. "

Amendment of section 10 of Bom. LXII of 1947.

5. In the principal Act, in section 10, in sub-section (1), the portion beginning with "but no such fragment" and ending with "payment of such compensation" shall be deleted.

Amendment of section 14 of Bom. LXII of 1947.

6. In the principal Act, in section 14, for the words "the owner of a contiguous survey number or recognized sub-division of a survey number", the words "any agriculturalist as defined in relevant tenancy law" shall be substituted.

Amendment of section 27 of Bom. LXII of 1947.

7. In the principal Act, in section 27, in clause (a), in sub-clause (ii), for the words and figures "the Bombay Co-operative Societies Act,

Bom. VII of 1925.

Guj. 10 of 1962. 1925", the words and figures "the Gujarat Co-operative Societies Act, 1961" shall be substituted.

8. In the principal Act, for section 31, the following shall be substituted, namely:-

Substitution of section 31 of Bom.LXII of 1947.

Restrictions on alienation and sub-division of consolidated holdings.

"31. Notwithstanding anything contained in any law for the time being in force, no holding allotted under this Act shall be transferred contrary to the provisions of section 8 of this Act."

9. In the principal Act, in section 37, in sub-section (2), clause (n) shall be deleted.

Amendment of section 37 of Bom. LXII of 1947.



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PART IV

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The following Act of the Gujarat Legislature, having been assented to by the President on the 16th November, 2012 is hereby published for general information.

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

GUJARAT ACT NO. 14 OF 2012.

(First published, after having received the assent of the President in the "Gujarat Government Gazette" on the 7th December 2012).

AN ACT

further to amend the Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947.

It is hereby enacted in the Sixty-second year of the Republic of India as follows:-

- (1) This Act may be called the Bombay Prevention of Fragmentation and Consolidation of Holdings (Gujarat Amendment) Act, 2011. **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 2 of Bom. LXII of 1947.

2. In the Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947 (hereinafter referred to as "the principal Act"), in section 2, in clause (3A), for the words and figures "the Bombay Co-operative Societies Act, 1925", the words and figures "the Gujarat Co-operative Societies Act, 1961" shall be substituted.

Bom. VII of 1925.
Guj. 10 of 1962.

Amendment of section 7 of Bom. LXII of 1947.

3. In the principal Act, in section 7,-

(i) for sub-section (1) except the proviso, the following sub-section and the proviso shall be substituted, namely:-

"(1) Any fragment in respect of which a notice has been given under sub-section (2) of section 6 may be transferred to any agriculturalist as defined in relevant tenancy law:

Provided that if such fragment is transferred to the owner of a contiguous survey number or recognised sub-division of a survey number, then such fragment shall be consolidated:";

(ii) in the existing proviso to sub-section (1), for the words "Provided that", the words "Provided further that" shall be substituted.

Amendment of section 9 of Bom. LXII of 1947.

4. In the principal Act, in section 9, for sub-section (2), the following sub-section shall be substituted, namely:-

"(2) The owner of any land so transferred or partitioned shall be liable to pay the fine of rupees five thousand or ten per cent. of the market value of the land, whichever is more, for the urban area as the Collector may direct; and rupees two thousand or ten per cent. of the market value of the land, whichever is more, for the remaining area. Such fine shall be recoverable as an arrears of land revenue. "

Amendment of section 10 of Bom. LXII of 1947.

5. In the principal Act, in section 10, in sub-section (1), the portion beginning with "but no such fragment" and ending with "payment of such compensation" shall be deleted.

Amendment of section 14 of Bom. LXII of 1947.

6. In the principal Act, in section 14, for the words "the owner of a contiguous survey number or recognized sub-division of a survey number", the words "any agriculturalist as defined in relevant tenancy law" shall be substituted.

Amendment of section 27 of Bom. LXII of 1947.

7. In the principal Act, in section 27, in clause (a), in sub-clause (ii), for the words and figures "the Bombay Co-operative Societies Act,

Bom. VII of 1925.

Guj. 10 of 1962. 1925", the words and figures "the Gujarat Co-operative Societies Act, 1961" shall be substituted.

8. In the principal Act, for section 31, the following shall be substituted, namely:-

Substitution of section 31 of Bom.LXII of 1947.

Restrictions on alienation and sub-division of consolidated holdings.

"31. Notwithstanding anything contained in any law for the time being in force, no holding allotted under this Act shall be transferred contrary to the provisions of section 8 of this Act."

9. In the principal Act, in section 37, in sub-section (2), clause (n) shall be deleted.

Amendment of section 37 of Bom. LXII of 1947.



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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 President on the 17th October, 2018 is hereby published for general information.

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

GUJARAT ACT NO. 20 OF 2018.

(First published, after having received the assent of the President, in the "Gujarat Government Gazette", on the 30th October, 2018).

AN ACT

*further to amend the Gujarat Prevention of Fragmentation and
Consolidation of Holdings Act, 1947.*

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

1. (1) This Act may be called the Gujarat Prevention of Fragmentation and Consolidation of Holdings (Amendment) Act, 2018. 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 9
of Bom.LXII
of 1947.

2. In the Gujarat Prevention of Fragmentation and Consolidation of Holdings Act, 1947, in section 9, in sub-section (2), for the words "of the market value", occurring at two places, the words "of the prevailing jantri value" shall be substituted.

Bom.LXII
of 1947.
