



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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# The Gujarat Government Gazette

## EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIII]

SATURDAY, OCTOBER 16, 1982/ASVINA 24, 1904

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 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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# The Gujarat Government Gazette

EXTRAORDINARY  
PUBLISHED BY AUTHORITY

Vol. LIII] FRIDAY, DECEMBER 7, 2012/AGRAHAYANA 16, 1934

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

## 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 16<sup>th</sup> 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 7<sup>th</sup> 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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