



सत्यमेव जयते

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## **EXTRAORDINARY**

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#### **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 BOMBAY INAMS (KUTCH AREA) ABOLITION (REPEAL) BILL, 2011.**

#### **GUJARAT BILL NO. 2 OF 2011.**

#### **A BILL**

*to repeal the Bombay Inams (Kutch Area) Abolition Act, 1958.*

WHEREAS it is expedient to repeal obsolete Act, it is hereby enacted in the Sixty-second Year of the Republic of India as follows :-

1. This Act may be called the Bombay Inams (Kutch Area) Short title. Abolition (Repeal) Act, 2011.

**Repeal.** 2. The Bombay Inams (Kutch Area) Abolition Act, 1958 is hereby repealed. Bom. XCVIII of 1958.

**Savings.** 3. (1) Notwithstanding the repeal of the Bombay Inams (Kutch Area) Abolition Act, 1958 (hereinafter referred to as "the said Act"), - Bom. XCVIII of 1958.

- (a) land made liable to payment of land revenue in accordance with the Bombay Land Revenue Code, 1879 and the rules made thereunder by the said Act shall continue to be so liable, and Bom. V of 1879.
- (b) the liability to pay land revenue levied under the said Code imposed on the holder of land by the said Act shall continue.

(2) The repeal of the said Act shall not affect -

- (a) any restriction imposed by the said Act on transfer of land; or
- (b) the application of the provisions of the Bombay Tenancy and Agricultural Lands (Vidarbha Region and Kutch Area) Act, 1958 to any land or the relationship between holder of land or, as the case may be, landlord and his tenant made by the said Act. Bom. XCIX of 1958.

(3) Without prejudice to the provisions contained in sub-sections (1) and (2) and subject thereto, section 7 of the Bombay General Clauses Act, 1904 shall apply in relation to the repeal of the said Act as if the said Act had been an enactment within the meaning of the said section 7. Bom. I of 1904.

**STATEMENT OF OBJECTS AND REASONS**

The Gujarat State Law Commission has in its third report recommended for repeal of certain Acts on the grounds that they have become obsolete. Some of the obsolete Acts mentioned in the third report of the Gujarat State Law Commission have been repealed by the Gujarat Repealing Act, 2000 (Guj. 13 of 2000).

So far as the various Land Tenure Abolition and Inams Abolition Acts are concerned, the Commission was of the view that the Land Tenure has been abolished and the very purpose of the Acts have already been achieved, and therefore the said Acts were no longer required to be kept on Statute Book.

In pursuance of the recommendation of the third report of the Gujarat State Law Commission, it is considered necessary to repeal the Bombay Inams (Kutch Area) Abolition Act, 1958. The said Act contains provisions making the holder of the lands liable to payment of land revenue, restricting transfer of land and applying the provisions of the Bombay Tenancy and Agricultural Lands (Vidarbha Region and Kutch Area) Act, 1958 to the land or relationship between a holder of land or landlord and his tenant. It is, therefore, proposed to save the aforesaid liability, restriction and application.

This Bill seeks to achieve the aforesaid objects.

Gandhinagar,  
Dated the 25<sup>th</sup> January, 2011.

**ANANDIBEN PATEL.**

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

Gandhinagar,  
Dated the 29<sup>th</sup> January, 2011.

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