



सत्यमेव जयते

The Gujarat Government Gazette
EXTRAORDINARY
PUBLISHED BY AUTHORITY

LVIII | MONDAY, NOVEMBER 13, 2017/KARTIKA 22, 1939

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**

**AGRICULTURE, FARMERS WELFARE AND CO-OPERATION
DEPARTMENT**

Sachivalaya, Gandhinagar, Dated the 13th November, 2017.

GUJARAT ORDINANCE NO.3 OF 2017.

AN ORDINANCE

further to amend the Gujarat Money-Lenders Act, 2011.

WHEREAS the Legislative Assembly of the State of Gujarat is
not in session;

AND WHEREAS the Governor of Gujarat is satisfied that
circumstances exist which render it necessary for him to take immediate
Guj.14 of 2011. action to amend the Gujarat Money-Lenders Act, 2011;

NOW, THEREFORE, in exercise of the powers conferred on him by clause (1) of article 213 of the Constitution of India, the Governor of Gujarat is hereby pleased to make and promulgate the following Ordinance, namely:-

1. **Short title and commencement.**- This Ordinance may be called the Gujarat Money-Lenders (Amendment) Ordinance, 2017.

(2) It shall come into force at once.

2. **Guj. 14 of 2011 to be temporarily amended.**- During the period of operation of this Ordinance, the Gujarat Money-Lenders Act, 2011 (herein after referred to as " the principal Act ") shall have effect subject to the amendment specified in section 3.

Guj.14 of 2011.

3. **Amendment of section 17 of Guj. 14 of 2011.**- In the principal Act, in section 17, in sub-section (2), for the words "village panchayat" the words "Gram Sabha" shall be substituted.

STATEMENT

The State Government has enacted the Gujarat Money-Lenders Act, 2011 to regulate the transactions of money lending in the State. It is experienced while administering the said Act that certain provisions of the Acts are required to be amended suitably so as to remove the hardships being faced by the money-lenders.

Sub-section (2) of section 17 of the said Act provides that no money lender shall lend any money to a member of the Scheduled Tribes residing in the Scheduled Areas of the State as referred to in clause (1) of article 244 of the Constitution of India, without previous sanction of Village Panchayat of that village. Whereas under the provisions of section 4(m)(v) of the Panchayats (Extension to Scheduled Areas) Act, 1996, the said powers has been delegated to the Panchayats at an appropriate level as also to the Gram Sabha. The State Government has also framed the Gujarat Provisions of the Panchayats (Extension to the Scheduled Areas) Rules, 2017 wherein rule 40 empowers the Peace Committee of the *Gram Sabha* to control over money lending transactions in the village.

It is, therefore, considered necessary to amend the said sub-section (2) of section 17 of the said Act so as to empower the *Gram Sabha* to grant its sanction for lending money to a member of the Scheduled Tribes.

As the Legislative Assembly of the State of Gujarat is not in session, the Gujarat Money-Lenders (Amendment) Ordinance, 2017 is promulgated to achieve the aforesaid objects.

Dated the 24th October, 2017.

O.P.KOHLI,
Governor of Gujarat.

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

J. K.PATEL,
Deputy Secretary to Government.