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

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 GUJARAT LAND REVENUE (SECOND AMENDMENT) BILL, 2019.

GUJARAT BILL NO. 18 OF 2019.

A BILL

Further to amend the Gujarat Land Revenue Code, 1879.

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

1. (1) This Act may be called the Gujarat Land Revenue (Second Amendment) Act, 2019.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Short title and commencement.

Amendment
of section
135D of Bom.
V of 1879.

2. In the Gujarat Land Revenue Code, 1879, in section 135D, for sub-section (5), the following sub-section shall be substituted, namely:-

Bom. V of
1879.

“(5) Where no objection is raised, either manually or electronically, by any person having interest in any transaction made by the designated officer as referred to in sub-section (2), the mutation entry shall be certified, within such time, for such transaction and on such terms and conditions as may be prescribed.”.

STATEMENT OF OBJECTS AND REASONS

The Gujarat Land Revenue Code, 1879 was enacted to consolidate and amend the law relating to Land Revenue. Sub-section (5) of section 135D of the said Act provides for the mutation entry to be certified electronically through an automated process or manually in cases where no objection is raised by any person having interest in the transaction, either manually or electronically within a period of thirty days.

The State Government has adopted various online systems having facility of auto-generated Email, SMS, etc. for register of mutations and register of disputed cases. Such modes of communication ought to be considered alongwith the existing communication systems while making entry in the register of mutations and register of disputed cases. The State Government has also empowered the appealing authorities through e-dhara system, to make mutation entries for the orders pronounced by them. In such circumstances, the period of thirty days as specified in the said sub-section (5) is required to be reconsidered so as to make the process for certifying the mutation entry more quickly. Sub-section (5) of section 135D of the said Act is proposed to be substituted accordingly. *Clause 2* of the Bill provides for the same.

This Bill seeks to amend the said Act to achieve the aforesaid objects.

KAUSHIK PATEL,

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill provides for delegation of legislative powers in the following respects:--

Clause 1.— Sub-clause (2) of this clause empowers the State Government to appoint, by notification in the *Official Gazette*, the date on which the Act shall come into force.

Clause 2.— Sub-section (5) of section 135D proposed to be substituted by this clause empowers the State Government to prescribe by rules, the time within which, the transaction for which, the terms on which and the conditions subject to which, the mutation entry shall be certified electronically through an automated process or manually in cases where no objection is raised by any person having interest in any transaction, either manually or electronically.

The delegation of legislative powers, as aforesaid, is necessary and is of a normal character.

Dated the 18th July, 2019.

KAUSHIK PATEL.

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

Gandhinagar,
Dated the 18th July, 2019.

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