

**THE GUJARAT TENANCY AND AGRICULTURAL LANDS
LAWS (AMENDMENT) BILL, 2024.**

GUJARAT BILL NO. 1 OF 2024.

A BILL

further to amend the Gujarat Tenancy and Agricultural Lands Act, 1948, the Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands Ordinance, 1949 and the Gujarat Tenancy and Agricultural Lands (Vidarbha Region and Kutch area) Act, 1958.

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

1. (1) This Act may be called the Gujarat Tenancy and Agricultural Lands Laws (Amendment) Act, 2024.

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 63AC of
Bom. LXVII Of
1948.

2. In the Gujarat Tenancy and Agricultural Lands Act, 1948, in section 63AC, in sub-section (1), for the portion beginning with the words "within one year" and ending with the words "to the Collector for conversion of such land into non-agricultural purpose.", the following portion shall be substituted, namely:-

Bom. LXVII
of 1948.

"within such time as may be specified by the State Government, by notification in the *Official Gazette*, from time to time to the Collector for conversion of such land into non-agricultural purpose."

Amendment of
Section 54B of
Sau. Ord. XLI
of 1949.

3. In the Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands Ordinance, 1949, in section 54B, in sub-section (1), for the portion beginning with the words "within one year" and ending with the words "to the Collector for conversion of such land into non-agricultural purpose.", the following portion shall be substituted, namely:-

Sau. Ord. XLI
of 1949.

"within such time as may be specified by the State Government, by notification in the *Official Gazette*, from time to time to the Collector for conversion of such land into non-agricultural purpose."

Amendment of
Section 89C of
Bom. XCIX of
1958.

4. In the Gujarat Tenancy and Agricultural Lands (Vidarbha Region and Kutch Area) Act, 1958, in section 89C, in sub-section (1), for the portion beginning with the words "within one year" and ending with the words "to the Collector for conversion of such land into non-agricultural purpose", the following portion shall be substituted, namely:-

Bom. XCIX
of 1958.

"within such time as may be specified by the State Government, by notification in the *Official Gazette*, from time to time to the Collector for conversion of such land into non-agricultural purpose."

STATEMENT OF OBJECTS AND REASONS

At present there are three different tenancy laws in operation in the State. In the Bombay area of the State of Gujarat, the Gujarat Tenancy and Agricultural Lands Act, 1948 is in force, in the Kutch area of the state of Gujarat, the Gujarat Tenancy and Agricultural Lands (Vidarbh Region and Kutch Area) Act, 1958 is in force, whereas in the Saurashtra area of the State of Gujarat, the Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands Ordinance, 1949 is in force.

Section 63 AC of the Gujarat Tenancy and Agricultural Lands Act, 1948 inter alia, provides that the institutions mentioned in the said provision shall be entitled to apply for conversion of land to non-agricultural purpose if the land in question is purchased by such institutions on or before 30th June, 2015. Similar provisions have been made in section 54B of Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands Ordinance, 1949 and section 89 C of the Gujarat Tenancy and Agricultural Lands (Vidarbh Region and Kutch Area) Act, 1958.

However, representations have been received from charitable institutions promoting charity to further extend the date for making application for conversion of such lands purchased on or before 30th June, 2015 as such institutions have not been able to apply within time limit due to various reasons and because of this, such institutions have not been able to start charity work.

Necessary amendments are therefore, proposed in section 63AC of the Gujarat Tenancy and Agricultural Lands Act, 1948, section 54B of the Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands Ordinance, 1949 and section 89C of the Gujarat Tenancy and Agricultural Lands (Vidarbh Region and Kutch Area) Act, 1958. Clauses 2, 3, and 4 of this Bill provide for the same.

This Bill seeks to amend the said three Tenancy Acts to achieve the aforesaid objects.

BALVANTSINH RAJPUT,

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 (1) of section 63AC of the Gujarat Tenancy and Agricultural Lands Act, 1948 proposed to be amended by this clause empowers the State Government to specify, by notification in the *Official Gazette*, the time within which the application may be made by the public trust or the company as specified therein, to the Collector for conversion of land, purchased on or before 30th June, 2015, into non-agricultural purpose.

Clause 3. - Sub-section (1) of section 54B of the Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands Ordinance, 1949 proposed to be amended by this clause empowers the State Government to specify, by notification in the *Official Gazette*, the time within which the application may be made by the public trust or the company as specified therein, to the Collector for conversion of land, purchased on or before 30th June, 2015, into non-agricultural purpose.

Clause 4. - Sub-section (1) of section 89C of the Gujarat Tenancy and Agricultural Lands (Vidarbha Region and Kutch Area) Act, 1958 proposed to be amended by this clause empowers the State Government to specify, by notification in the *Official Gazette*, the time within which the application may be made by the public trust or the company as specified therein, to the Collector for conversion of land, purchased on or before 30th June, 2015, into non-agricultural purpose.

The delegation of the legislative power as aforesaid is necessary and is of a normal character.

Dated the 25th January, 2024.

BALVANTSINH RAJPUT.

ANNEXURE

**EXTRACT FROM THE GUJARAT TENANCY AND
AGRICULTURAL LANDS ACT, 1948.
(Bom. LXVII. Of 1948)**

63AC. (1) Notwithstanding anything contained in Section 63 or 63AD but subject to the provisions of any other law for the time being in force, any institution registered as a public trust for charitable purpose under the Gujarat Public Trusts Act, 1950, or any company registered under the Companies Act, 2013 which has in its objects the promotion of charity and to which provisions of Section 8 of the said Act are applicable, has purchased the land in contravention of the provisions of sub-section (1) of Section 63 on or before the 30th June, 2015. such institution working in the field of religious, health, education and social sector shall be entitled to make an application within one year from the commencement of the Gujarat Tenancy and Agricultural Lands Laws (Amendment) Act, 2019, to the Collector for conversion of such land into non-agricultural purpose.

Conversion of land into non-agricultural purpose if the land is purchased before the commencement of Amending Act, 2015.

Bom. XXIX of
1950.

18 of 2013.

Guj. 18 of 2019.

(2) XXX XXX XXX

ANNEXURE

**EXTRACT FROM THE SAURASHTRA GHARKHED, TENANCY
SETTLEMENT AND AGRICULTURAL LANDS ORDINANCE, 1949.
(Sau. Ord. XLI of 1949)**

54B. (1) Notwithstanding anything contained in Section 54 or 75A but subject to the provisions of any other law for the time being in force, any institution registered as a public trust for charitable purpose under the Gujarat Public Trusts Act, 1950, or any company registered under the Companies Act, 2013 which has in its objects the promotion of charity and to which provisions of Section 8 of the said Act are applicable, has purchased the land in contravention of the provisions of sub-section (1) of Section 54 on or before the 30th June, 2015. such institution working in the field of religious, health, education and social sector shall be entitled to make an application within one year from the commencement of the Gujarat Tenancy and Agricultural Lands Laws (Amendment) Act, 2019, to the Collector for conversion of such land into non-agricultural purpose.

Conversion of land into non-agricultural purpose if the land is purchased before the commencement of Amending Act, 2015.

Bom. XXIX of
1950.

18 of 2013.

Guj. 18 of 2019.

(2) XXX XXX XXX

ANNEXURE

**EXTRACT FROM THE GUJARAT TENANCY AND
AGRICULTURAL LANDS (VIDARBHA REGION AND KUTCH
AREA) ACT, 1958.
(Bom. XCIX of 1958)**

Conversion of
land into non-
agricultural
purpose if the
land is
purchased before
the
commencement
of Amending
Act, 2015.

89C. (1) Notwithstanding anything contained in section 89 or 89D but subject to the provisions of any other law for the time being in force, any institution registered as a public trust for charitable purpose under the Gujarat Public Trusts Act, 1950, or any company registered under the Company Act, 2013 which has in its objects the promotion of charity and to which provisions of section 8 of the said Act are applicable, has purchased the land in contravention of the provisions of sub-section (1) of section 89 on or before the 30th June, 2015.

Bom. XXIX of
1950.

18 of 2013.

such institution working in the field of religious; health, education and social sector shall be entitled to make an application within one year from the commencement of the Gujarat Tenancy and Agricultural Lands Laws (Amendment) Act, 2019, to the Collector for conversion of such land into non-agricultural purpose.

Guj. 18 of 2019.

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GUJARAT LEGISLATURE SECRETARIAT

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further to amend the Gujarat Tenancy and Agricultural Lands Act, 1948, the Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands Ordinance, 1949 and the Gujarat Tenancy and Agricultural Lands (Vidarbha Region and Kutch area) Act, 1958.

[SHRI BALVANTSINH RAJPUT,
MINISTER FOR LABOUR, SKILL
DEVELOPMENT AND EMPLOYMENT]

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of 25th January, 2024)

D. M. Patel,
Secretary,
Gujarat Legislative Assembly.
