

**Bombay Prevention Of Fragmentation And Consolidation Of
Holdings (Gujarat Amendment) Act, 2011**

14 OF 2012

[07 December 2012]

CONTENTS

1. Short title and commencement
2. Amendment of section 2 of Bom. LXII of 1947
3. Amendment of section 7 of Bom. LXII of 1947
4. Amendment of section 9 of Bom. LXII of 1947
5. Amendment of section 10 of Bom. LXII of 1947
6. Amendment of section 14 of Bom. LXII of 1947
7. Amendment of section 27 of Bom. LXII of 1947
8. Substitution of section 31 of Bom. LXII of 1947
9. Amendment of section 37 of Bom. LXII of 1947

**Bombay Prevention Of Fragmentation And Consolidation Of
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ANACT

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. Short title and commencement :-

(1) This Act may be called the Bombay Prevention of Fragmentation and Consolidation of Holdings (Gujarat Amendment) Act, 2011.

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

2. Amendment of section 2 of Bom. LXII of 1947 :-

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 Cooperative Societies Act, 1925", the words and figures "the Gujarat Cooperative Societies Act, 1961" shall be substituted.

3. Amendment of section 7 of Bom. LXII of 1947 :-

In the principal Act, in section 7,-

(i) for sub-section (1) except the proviso, the following subsection 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.

4. Amendment of section 9 of Bom. LXII of 1947 :-

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. ".

5. Amendment of section 10 of Bom. LXII of 1947 :-

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.

6. Amendment of section 14 of Bom. LXII of 1947 :-

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.

7. Amendment of section 27 of Bom. LXII of 1947 :-

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, 1925", the words and figures "the Gujarat Co-operative Societies Act, 1961" shall be substituted.

8. Substitution of section 31 of Bom. LXII of 1947 :-

In the principal Act, for section 31. the following shall be substituted, namely:-

Restrictions on alienation and subdivision 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. Amendment of section 37 of Bom. LXII of 1947 :-

In the principal Act, in section 37, in sub-section (2), clause (n) shall be deleted.