

Bombay Tenancy And Agricultural Lands (Gujarat Amendment) Act, 1969

15 of 1969

[19 September 1969]

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Bombay Tenancy And Agricultural Lands (Gujarat Amendment) Act, 1969

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An Act further to amend the Bombay Tenancy and Agricultural Lands Act, 1948 for certain purposes. It is hereby enacted in the Twentieth Year of the Republic of India as follows

1. Short Title :-

This Act may be called the Bombay Tenancy and Agricultural Lands (Gujarat Amendment) Act, 1969.

2. Amendment Of Section 32M Of Bom. Lxvii Of 1948 :-

In section 32M of the Bombay Tenancy and Agricultural Lands Act, 1948 (Bom. LXVII of 1948), (hereinafter referred to as "the principal Act"), after sub-section (2), the following sub-sections shall be inserted, namely:-

"(3) Notwithstanding the expiry of the period specified in sub-section (2), if the tenant of land to which sub-section (2) applies deposits with the Tribunal within a period of two years after the expiry of the period mentioned in sub-section (2) the entire amount of the price of the land or, as the case may be, the portion of the

price, together with interest, as specified in the said sub-section (2), the purchase of the lands shall be deemed not to have become ineffective and the Tribunal shall issue a certificate of purchase to the tenant under sub-section (1).

(4) In the case of the purchase of any land by a tenant which at any time after the date of the commencement of the Bombay Tenancy and Agricultural Lands (Gujarat Amendment) Act, 1965 (Guj. 36 of 1965) has become ineffective by reason of the failure of the tenant to pay the lump sum within the period fixed under clause (ii) of sub-section (1) of section 32K or the tenant remaining in arrears of four installments. if such land has not been disposed of by the Collector in the manner provided in sub-section (2) of section 32P, then, if the tenant deposits with the Tribunal within the period of two years after the expiry of the period mentioned in sub-section (2) the entire amount of the price of the land as fixed under section 32K, or, as the case may be, such portion of the price so fixed as may have remained unpaid, together with the interest, if any, payable under section 32K, the purchase of the land shall be deemed not to have become so ineffective and the Tribunal shall issue a certificate of purchase to the tenant under sub-section (1).".

3. Amendment Of Section 37 Of Bom. Lxvii Of 1948 :-

Sub-sections (6), (7), (8) and (9) as inserted in section 37 of the principal Act, by clause (2) of section 6 of the Bombay Tenancy and Agricultural Lands (Gujarat Amendment) Act, 1965 (Guj. 36 of 1965) shall be renumbered as sub-sections (5A), (5B), (5C) and (5D) respectively of the said section 37 with effect on and from the date on which they were inserted in the said section 37.

4. Amendment Of Section 43 Of Bom. Lxvii Of 1948 :-

In section 43 of the principal Act, after sub-section (1), the following new sub-section shall be inserted, namely:-

"(1A) The sanction under sub-section (1) shall be given by the Collector in such circumstances and subject to such conditions, as may be prescribed by the State Government."

5. Amendment Of Section 82 Of Bom. Lxvii Of 1948 :-

In section 82 of the principal Act. in sub-section (2), after clause (hh), the following new clause shall be inserted, namely:-

"(hhh) the circumstances in which and the conditions subject to which, the previous sanction of the Collector under sub-section (1) of section 43 may be given;".

6. Repeal Of Guj. Ord. 3 Of 1969 :-

The Bombay Tenancy and Agricultural Lands (Gujarat Amendment) Ordinance, 1969 (Guj. Ord. 3 of 1969) is hereby repealed and the provisions of sections 7 and 25 of the Bombay General Clauses Act, 1904 (Bom. I of 1904) shall apply to such repeal as if that Ordinance were an enactment.