

Gujarat Repealing Act, 2000

13 of 2000

[31st March, 2000]

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SCHEDULE 1 :-

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STATEMENT OF OBJECTS AND REASONS The Gujarat State Law Commission has, in its various reports, recommended repeal of certain Acts on the ground that they have become obsolete and, therefore, require to be removed from the Statute Book. In so far as the various Land Tenure Abolition Acts are concerned, the Commission was of the view that as proceedings regarding payment of compensation for abolition of Land Tenures in most of the cases were complete, the said Acts were no longer required to be kept on Statute Book. In respect of some other Acts, the Commission was of the view that they were impliedly repealed by Central Acts or that they were no longer required to be administered in view of the changed circumstances. In pursuance of the said recommendations of the State Law Commission, it is considered necessary to repeal certain obsolete Acts. Certain Land Tenure Abolition Acts contain provisions making the land liable to payment of land revenue, imposing liability to pay land revenue on the holder of land, restricting transfer of land and applying the provisions of Bombay Tenancy and Agricultural Lands Act, 1948 or the Bombay Tenancy and Agricultural Lands (Vidarbha Region and Kutch Area) Act, 1958 to the land or relationship between a holder of land or landlord and his tenant. It is, therefore, proposed to save

the aforesaid liability, restriction and application. This Bill seeks to achieve the aforesaid objects.

1. Short title :-

This Act may be called the Gujarat Repealing Act, 2000 .

2. Definition :-

In this Act, unless the context otherwise requires, "Land Tenure Abolition Act" means an Act specified in Part I of the Schedule.

3. Repeal of certain Acts. :-

The Acts specified in the Schedule are hereby repealed.

4. Savings. :-

(1) Notwithstanding the repeal of Land Tenure Abolition Act (hereinafter in this sub-section and sub-sec. (2) referred to as "the said Act") by Sec. 3,

(a) land made liable to payment of land revenue in accordance with the Bombay Land Revenue Code, 1879 (Bom. V of 1879) and the rules made thereunder by the said Act shall continue to be so liable, and

(b) the liability to pay land revenue levied under the said Code imposed on the holder of land by the said Act shall continue.

(2) The repeal of the said Act by Sec. 3 shall not affect-

(a) any restriction imposed by the said Act on transfer of land; or

(b) the application of the provisions of the Bombay Tenancy and Agricultural Lands Act, 1948 (Bom. LXVII of 1948 or, as the case may be, the Bombay Tenancy and Agricultural Lands (Vidarbha Region and Kutch Area) Act, 1958 (Bom. XCLX of 1958), to any land or the relationship between holder of land or, as the case may be, landlord and his tenant made by the said Act.

(3) Without prejudice to the provisions contained in sub-sees. (1) and (2) and subject thereto, Sec. 7 of the Bombay General clauses Act, 1904 (Bom. I of 1904) shall apply in relation to the repeal of the Act specified in the Schedule as if the Act had been an enactment within the meaning of the said Sec. 7.

SCHEDULE 1

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