

## **GUJARAT VACANT LANDS IN URBAN AREAS (PROHIBITION OF ALIENATION) RULES, 1972**

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### **SCHEDULE 1 :- SCHEDULE**

## **GUJARAT VACANT LANDS IN URBAN AREAS (PROHIBITION OF ALIENATION) RULES, 1972**

No. GHM-72-(A) VCT-1172 LA-IV.-In exercise of the powers conferred by section 12 of the Gujarat Vacant Lands in Urban Areas Prohibition of Alienation) Act, 1972 (Guj. 12 of 1972), the Government of Gujarat hereby makes the following rules, namely :-

### **1. . :-**

These Rules may be called the Gujarat Vacant Lands in Urban Areas (Prohibition of Alienation) Rules, 1972.

### **2. . :-**

In these rules unless the context otherwise requires-

- (a) "Act" means Gujarat Vacant Lands in Urban Areas (Prohibition of Alienation) Act, 1972;
- (b) "Form" means a form included in the Schedule;
- (c) "Government" means the State Government;
- (d) "Schedule" means the Schedule appended to these rules;
- (e) "section" means a section of the Act.

### **3. . :-**

- (1) A declaration by the transferor which is required to be furnished by a person presenting a document referred to in clause (a) of sub-

section (1) of section 5 shall be in Form 'A'.

(2) The plan to be attached to Form 'A' shall be certified by a person who prepared it by endorsing thereon as follows, namely :-  
"Certified that the above plan is made by me after personally seeing the vacant land and its surroundings. I have got the land measured in my presence and the above plan indicates the true and correct position and area of the vacant land and its surroundings."

(3) The registering officer shall verify the facts stated in the declaration made by the transferor and also the facts stated in the document presented for registration and if the facts stated in the declaration as well as the document are found to be in order, he may make an order of acceptance of the document for registration. Where the facts stated in the declaration or document are not found to be in order he shall make an order refusing to register the document specifying the reasons therefor in the order of refusal and shall forward a copy of such order to the Collector.

#### **4. . :-**

(1) An application for approval of a Co-operative house building society established for the purpose of providing housing accommodation to the weaker sections of the people under clause (d) of section 6 may be made in Form 'B' to the Collector within whose limits the place mentioned in the society registered address is situate.

(2)

(a) On receipt of an application made under sub-rule (1) the Collector may enquire himself or cause an enquiry to be made by an officer not below the rank of a Mamlatdar as to whether the society is a house building society for weaker sections of the people, as to the income of its members and their social backwardness and as to existence of such other factors as may be specified by the Government from time to time and shall submit a report to the Government.

(b) In an enquiry under clause (a) the secretary or the president, or an office bearer of the Society empowered by the Society to act on its behalf may adduce such evidence in support of the application made under sub-rule (1) as he may consider necessary.

(c) On receipt of a report from the Collector, the Government, having regard to the income of members of such society, or social backwardness of its members or such other considerations, stated in the report, shall by an order either approve or disapprove the society.

**5. . :-**

(1) The Collector shall not exempt under sub-section (3) of section 7 and alienation or other transfer of any vacant land from the provisions of the Act unless the land is to be used:-

(a) for an educational purpose by an educational institution recognised by the Government and in the case of-

(i) such educational institution not being the one established and administered by a minority based on religion or language, or

(ii) Such educational institution which being so established and administered is maintained by the State as defined in Article 12 of the Constitution or receives aid out of State funds, admission of students to or membership for which is not prohibited on grounds of religion, race or caste or any of them.

(b) for scientific purpose by an institution doing scientific research work beneficial to the general public and recognised as such by the Government;

(c) for an industrial purpose by an industry established or to be established in the State, <sup>1</sup>[requiring land urgently for use] for the purpose of expansion programme of an industry already established, or as the case may be, for the purpose of establishment of an industry to be established, where such expansion programme, or as the case may be, establishment has been approved by the Central or the State Government, where necessary.

<sup>1</sup>[(d) for a commercial purpose by a person requiring land urgently for such purpose']

<sup>3</sup>[(e) for construction of a hospital by any institution requiring land urgently for such purpose;

(f) for an agricultural purpose including dairy farming, horticulture and poultry farming, by any agriculturist requiring land urgently for such purpose;]

**1** [x x]

(2) Any person desirous of obtaining an exemption under sub-section (3) of section 7 shall make an application in Form 'C' to the Collector within whose limits the land is situate.

1. Subs, by G. G. Gaz. dated 1-2-1974.

3. Added by G. G. Gaz. dated 1-2-1974.

**6.** . :-

(1) An application under sub-section (2) of section 8 shall be made in Form 'D' within a period of sixty days from the date of publication of these rules in the Official Gazette.

(2) The notice under sub-section (3) of section 8 shall be served in the following manner, namely:-

(a) by delivering or tendering it to the person concerned, or

(b) by post in a letter addressed to the person named therein at his last known residence or place of business and registered under Part III of the Indian Post Offices Act, 1898.

**7.** . :-

An appeal under section 9 shall be made in Form 'E' within a period of thirty days from the date of the order of the Collector.

SCHEDULE 1

SCHEDULE